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COMMITTEE MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD
SPECIAL WASTE AND MARKET DEVELOPMENT COMMITTEE

JOE SERNA, JR., CALEPA BUILDING
1001 I STREET
2ND FLOOR
SIERRA HEARING ROOM
SACRAMENTO, CALIFORNIA

TUESDAY, MAY 6, 2003
9:30 A.M.

TIFFANY C. KRAFT, CSR, RPR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 12277

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

BOARD MEMBERS

Jose Medina, Chairperson

Steven R. Jones

Michael Paparian

Carl Washington

STAFF

Mark Leary, Executive Director

Julie Nauman, Chief Deputy Director

Kathryn Tobias, Chief Counsel

Bob Fujii, Supervisor, Special Waste Division

Martha Gildart, Supervising Waste Management Engineer
Gildart

Jim Lee, Deputy Director

Patty Wohl, Deputy Director

Wendy Breckon

Boxing Cheng

Nate Gauff

Stacey Patenaude

Elena Yates

APPEARANCES CONTINUED

ALSO PRESENT

Steve Cryger, San Mateo High School

Henry Dwyer, Plastics Energy

Dr. James Fletcher, CSU, Chico

Mark Greenough, San Mateo High School

George Larson, Lakin Tire

Paula Roosevelt, Ceres Unified School District

Arthur Roth, Hunter Paine Enterprise

Jim Ryugo, Oakland Parks and Recreation

Patrick Winters, Hunter Paine Enterprise

Laura Wright, City of Pittsburg

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16:00:00 1 PROCEEDINGS

09:18:59 2 CHAIRPERSON MEDINA: Good morning. This

09:42:56 3Committee is called to order. Today is May the 6th, 2003.

09:42:59 4This is the meeting of the Special Waste and Market

09:43:02 5Development Committee.

09:43:03 6 Please turn off your cell phones and pagers. Put

09:43:05 7them on vibrating mode.

09:43:11 8 If we can have roll call.

09:43:13 9 SECRETARY HARRIS: Jones?

09:43:14 10 COMMITTEE MEMBER JONES: Here.

09:43:15 11 SECRETARY HARRIS: Paparian?

09:43:15 12 COMMITTEE MEMBER PAPARIAN: Here.

09:43:16 13 SECRETARY HARRIS: Washington?

09:43:17 14 COMMITTEE MEMBER WASHINGTON: Here.

09:43:19 15 SECRETARY HARRIS: Medina?

09:43:20 16 CHAIRPERSON MEDINA: Present.

09:43:21 17 And at this time ex partes, members?

09:43:26 18 COMMITTEE MEMBER JONES: Mr. Chair, Henry Dwyer

09:43:31 19George Larson and Mark Homestead on plastic energy, and

09:43:35 20that was it.

09:43:38 21 CHAIRPERSON MEDINA: Board Member Paparian.

09:43:39 22 COMMITTEE MEMBER PAPARIAN: Thank you,

09:43:40 23Mr. Chairman. Yeah. I spoke to George Larson and Henry

09:43:44 24Dwyer regarding Item K on our agenda today, the RMDZ loan.

09:43:49 25I also spoke to George Larson about the reallocation item.

09:43:54 1 CHAIRPERSON MEDINA: Very good.
09:43:54 2 Board Member Washington.
09:43:57 3 COMMITTEE MEMBER WASHINGTON: I'm up to date.
09:43:58 4 CHAIRPERSON MEDINA: I'm up to date as well.
09:44:00 5 At this time I'll turn it over to Deputy Director
09:44:03 6 of Special Waste Jim Lee.
09:44:04 7 DEPUTY DIRECTOR LEE: Thank you, Mr. Medina.
09:44:06 8 Good morning, members of the Committee. My name is Jim
09:44:09 9 Lee with the Special Waste Division.
09:44:11 10 One item on my Deputy Director's report this
09:44:14 11 morning I want to bring to your attention is on the waste
09:44:16 12 tire manifest system. On July 1st the new waste tire
09:44:20 13 manifest systems becomes effective in an effort to help
09:44:25 14 the regulated community understand their new system and
09:44:26 15 their responsibilities.
09:44:27 16 Staff have developed several means of assistance.
09:44:30 17 Through a collaborative effort between program staff, IMB,
09:44:35 18 and public affairs, a comprehensive manual has been
09:44:38 19 prepared to explain the new program and each participant's
09:44:40 20 responsibility. This manual together with various forms
09:44:45 21 are being mailed this week to over 10,000 waste tire
09:44:49 22 generators, haulers, and in-users. We are hopeful that
09:44:54 23 this information will be comprehensive in explaining what
09:44:57 24 each of these party's needs to do beginning July the 1st.
09:45:03 25 In addition, staff have scheduled training

09:45:05 1sessions in eight cities around the state during May and
09:45:08 2June. At four of the locations there will be
09:45:12 3presentations the Spanish. CalEPA will be assisting us by
09:45:17 4conducting an additional session for Mexican haulers in
09:45:19 5Tijuana. I have provided members a copy of the training
09:45:24 6venues and the dates. And, again, I want to invite you
09:45:28 7and your staff to attend any of the sessions that you feel
09:45:31 8that you are interested in. The Sacramento sessions will
09:45:36 9be May 20th and 22nd in the Coastal Hearing Room.

09:45:41 10 A new phone system is being installed for staff
09:45:44 11in the waste tire enforcement program to better handle
09:45:47 12calls -- anticipated calls from generators, haulers and
09:45:52 13end-users. Call into the programs toll-free number will
09:45:56 14be able to be distributed to available staff which will
09:45:59 15include a Spanish-speaking student.

09:46:02 16 Finally, the Board's waste tire website has been
09:46:06 17updated to reflect all the changes that have occurred and
09:46:09 18to public, the public access to all the training materials
09:46:13 19for the new waste manifest system. Any questions?

09:46:19 20 CHAIRPERSON MEDINA: Any questions members?

09:46:21 21 Board Member Jones.

09:46:26 22 COMMITTEE MEMBER JONES: Mr. Chair, not so much a
09:46:26 23question. I just think that Gary A-K and Doug and the
09:46:30 24tire staff need to be commended for what they've put
09:46:34 25together. It was a huge part of 876 that we developed the

09:46:39 1system. And that the stakeholders that have participated
09:46:45 2in the pilots have helped fine tune it to the point at
09:46:49 3some point it will be almost a fully automated system. It
09:46:53 4could be paperless. But I just want to acknowledge all
09:46:59 5the staff both from information technology and the entire
09:47:04 6staff that worked on this project. I think it's going to
09:47:08 7make our state a much safer place and help us grow
09:47:12 8markets.

09:47:12 9 So thanks, Mr. Chair.

09:47:16 10 DEPUTY DIRECTOR LEE: Thank you for your
09:47:17 11comments, Mr. Jones. Again, you reminded me as part of
09:47:20 12this effort we are working with two of the largest tire
09:47:24 13haulers in the state, Lakin and Golden State Byproducts,
09:47:28 14on an electronic version of the manifest form which we
09:47:32 15hope will facilitate the process and reduce some of the
09:47:35 16workload on staff and the haulers.

09:47:44 17 Unless -- if there's no further questions, I'm
09:47:48 18prepared, Mr. Chairman, to move on with today's agenda.

09:47:51 19 CHAIRPERSON MEDINA: Thank you. Before I do just
09:47:53 20wanted to note for the record that I have a memo here from
09:47:58 21our Chairwoman Moulton-Patterson in regard to several
09:48:00 22items that have to do with the waste tire program funds.
09:48:05 23I haven't had a chance to absorb this yet so -- I don't
09:48:08 24know if other members received this.

09:48:11 25 COMMITTEE MEMBER JONES: Yes.

09:48:12 1 CHAIRPERSON MEDINA: I just received it this
09:48:13 2morning so I haven't had an opportunity to see how it fits
09:48:17 3in with today's meeting. So I'm not disregarding this
09:48:22 4memo. I'm just going to continue with our agenda as we
09:48:26 5have it. And if you've read it and find an appropriate
09:48:32 6place for this in regard to today's meeting, you're free
09:48:35 7to bring it up.

09:48:39 8 So at this point we'll go on with the next item.

09:48:42 9 DEPUTY DIRECTOR LEE: Thank you, Mr. Chairman.
09:48:43 10One note again with regards to the Board Chair's comment
09:48:49 11letter. Staff will have a few other comments to direct to
09:48:52 12that again during the discussion on the reallocation item.

09:48:56 13 With that, I'll go on to the first item on for
09:48:59 14the Committee's consideration today is Board Item Number
09:49:02 159, Committee Item B, consideration of contractor for the
09:49:06 16technology evaluation of waste tire devulcanization
09:49:09 17contract, tire recycling management fund, Fiscal Year
09:49:12 182002/2003.

09:49:15 19 Boxing Cheng will make the presentation, but I'd
09:49:19 20like to -- Boxing Cheng will make the presentation. I
09:49:25 21have some additional comments I want to bring them after
09:49:27 22he concludes.

09:49:28 23 MR. CHENG: Thank you, Jim. Good morning,
09:49:30 24Committee Chair and Board member. This is Boxing Cheng.
09:49:38 25I'm here to present this item for Board consideration of

09:49:40 1contractor for technology evaluation for waste tire
09:49:45 2devulcanization.
09:49:47 3 Background or history. At its March 2001 meeting
09:49:54 4Board adopt the five-year plan for waste tire -- Board
09:50:08 5adopted the five-year plan for waste tire recycling
09:50:13 6amendment program and approved 200,000 for research in
09:50:19 7devulcanization technology. On February, board approved
09:50:24 8the scope of work and also directed staff to proceed with
09:50:31 9a request for proposal and to procure a contractor to be
09:50:37 10approved by the Board.
09:50:39 11 The purpose of this contract is for the
09:50:41 12contractor to conduct an investigation into the current
09:50:47 13status of these technologies from bench SCORE laboratory
09:50:53 14project to commercial industry SCORE plans. This study
09:50:57 15were evaluated of the waste tire rubber devulcanization
09:51:04 16technology. It is intend to obtain as much information
09:51:09 17and data as possible and process operating parameters,
09:51:17 18product properties, markets, cost benefit analysis and
09:51:23 19environment impacts. The result of this evaluation will
09:51:30 20provide information to assist Board in determining whether
09:51:34 21to fund devulcanization project. The contractor will
09:51:39 22prepare a report to be approved by the Board for
09:51:43 23publication and put on Board's website.
09:51:49 24 Finding. In five-year's plan the Board allocated
09:51:52 25\$200,000 for this program.

09:51:58 1 An evaluation result. After Board approved the
09:52:01 2scope of work, staff sent out request for proposal. Board
09:52:08 3contractor unit received the full qualified proposal.
09:52:14 4Three member of SCORE team evaluated the full proposal
09:52:20 5independently according to the scoring criteria on the
09:52:24 6proposed scoring sheet. To be qualified the proposals
09:52:32 7much achieve a minimum score of 70 points. Two proposals
09:52:37 8got over 70 points, were qualified. CalRecovery, Inc.,
09:52:43 9got the highest score.
09:52:45 10 Staff proposes that CalRecovery is the contractor
09:52:50 11for this contract in the amount of \$99,254. Staff
09:53:03 12recommends that Board adopt Resolution Number 2003-278.
09:53:09 13 This ends my presentation.
09:53:12 14 CHAIRPERSON MEDINA: Thank you, Mr. Cheng for
09:53:13 15your presentation.
09:53:14 16 Board members, any questions regarding this item?
09:53:17 17 DEPUTY DIRECTOR LEE: Mr. Chairman, one thing I
09:53:18 18wanted to bring to your attention. Last week Mr. Faust --
09:53:23 19Mr. Tom Faust of Redwood Rubber has filed a protest with
09:53:27 20the Department of General Services protesting the award of
09:53:31 21the devulcanization contract to CalRecovery. Mr. Faust
09:53:34 22maintains his company should have been the successful
09:53:37 23contractor but was not due to bias. DGS protest actions
09:53:43 24can take several weeks. Because the funds for this
09:53:45 25contract must be encumbered before the end of the fiscal

09:53:48 1year, the program staff and legal office recommends that
09:53:51 2the Board take action on this matter today. Further, if
09:53:53 3the Board approves the proposed contractor, the approval
09:53:56 4should be made conditional on resolution of the protest by
09:53:58 5DGS in favor of the Board.

09:54:02 6 CHAIRPERSON MEDINA: Thank you.

09:54:03 7 Board Member Washington and the Board Member
09:54:03 8Paparian.

09:54:05 9 COMMITTEE MEMBER WASHINGTON: Thank you,
09:54:06 10Mr. Chair.

09:54:07 11 Mr. Lee, in terms of the letter that the
09:54:12 12gentleman sent from the rubber company, what was his
09:54:15 13rationale for saying that he -- what's his reasoning
09:54:20 14for --

09:54:28 15 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
09:54:28 16 Martha Gildart with the Special Waste Division.

09:54:30 17 Tom Faust has in the past received grants from
09:54:32 18this Board to conduct research into devulcanization and
09:54:34 19has been a promoter of the ultrasonic version of
09:54:38 20devulcanization. He has not been successful in that grant
09:54:45 21project, however, had submitted a proposal to our request
09:54:50 22for proposals claiming that he would be able to evaluate
09:54:54 23all forums, all technologies for devulcanization. The
09:54:59 24review panel did not feel his proposal addressed our need,
09:55:03 25and he did not receive a passing score.

09:55:06 1 I believe he thinks his involvement in the
09:55:09 2specific type of devulcanization technology qualifies him
09:55:13 3uniquely to evaluate all types. But he is not here today
09:55:17 4to speak for himself.

09:55:21 5 COMMITTEE MEMBER WASHINGTON: Yeah. I guess
09:55:21 6that's the problem I have. He didn't show them.

09:55:28 7 CHIEF COUNSEL TOBIAS: If I may, this protest now
09:55:30 8moves to DGS. So I think that any other discussion if you
09:55:34 9want to discuss it further would be better done in closed
09:55:37 10session. I think it's -- it should suffice -- and I don't
09:55:41 11mind discussing the closed session so I don't want to
09:55:44 12leave that impression. But I think it probably is
09:55:48 13sufficient to deal with the grant proposal the way it is.
09:55:52 14And then it's conditional. So if DGS should find that
09:55:57 15there was a basis for his protest, then we would be coming
09:56:00 16back to the Board with that. If they find there is no
09:56:03 17basis for it, then under this conditional approval the
09:56:06 18grant would just be approved.

09:56:09 19 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
09:56:09 20 Contract.

09:56:10 21 CHIEF COUNSEL TOBIAS: Contract. Sorry. Thank
09:56:11 22you, Martha.

09:56:13 23 CHAIRPERSON MEDINA: Board Member Paparian.

09:56:14 24 COMMITTEE MEMBER PAPARIAN: Separate issue.

09:56:16 25Mr. Levielle's newsletter reported that somebody else

09:56:20 1complained that one type of devulcanization technology was
09:56:24 2not part of the scope of this project. Did you read that?
09:56:29 3I don't remember what the technology was. But do you have
09:56:33 4a response to that?

09:56:34 5 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART: I
09:56:34 6received communications from Snow Hume with Champion
09:56:38 7Rubber. He is in the rubber reclamation business. He was
09:56:41 8concerned in the RFP we cited three specific types of
09:56:46 9devulcanization technology. However, the citation was not
09:56:48 10exclusive to just those three. He brought to our
09:56:51 11attention microbial degradation of the sulfur carbon bonds
09:56:57 12in vulcanized rubber. And our belief is the wording of
09:57:03 13the RFP was broad enough that all viable forms of
09:57:04 14devulcanization can be examined under this contract so
09:57:08 15microbial degradation could be.

09:57:11 16 COMMITTEE MEMBER PAPARIAN: If that has some
09:57:12 17viability, it could be examined?

09:57:16 18 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
09:57:16 19Correct. It could be examined.

09:57:17 20 CHAIRPERSON MEDINA: Board Member Jones.

09:57:19 21 COMMITTEE MEMBER JONES: Mr. Chair, we did
09:57:20 22receive a letter from RMA saying that the folks from
09:57:25 23Goodyear who have done the majority of the work -- I think
09:57:28 24all members got that letter -- would be willing to turn
09:57:30 25that over to us to save the dollars. But I don't think it

09:57:34 1 goes far enough to look at all the things. But I wanted
09:57:37 2 to make sure that, you know, they know that we appreciate
09:57:42 3 that offer. But I don't think it's broad enough to cover
09:57:46 4 what we're looking at.

09:57:47 5 So because of that I'll move adoption of
09:57:49 6 Resolution 2003-278 revised, consideration of contractor
09:57:55 7 for technology evaluation of waste tire devulcanization
09:57:59 8 contract tire recycling management fund 2002/'03 to
09:58:05 9 CalRecovery, Inc., in the amount of \$99,254, conditional
09:58:14 10 on the -- conditioned on the outcome of the DGS appeal by,
09:58:24 11 I guess, Tom Faust or whoever's doing the appeal.

09:58:28 12 CHIEF COUNSEL TOBIAS: I think you can just say
09:58:30 13 conditional to the protest.

09:58:36 14 CHAIRPERSON MEDINA: Protest, or is there any
09:58:38 15 possibility of other protests? Should we change that to
09:58:42 16 protests or just protest?

09:58:45 17 COMMITTEE MEMBER JONES: Protests.

09:58:46 18 CHIEF COUNSEL TOBIAS: Protests. We haven't
09:58:47 19 heard of any others right now.

09:58:50 20 CHAIRPERSON MEDINA: Okay. This motion has
09:58:51 21 been -- Resolution 2003-278 revised and conditioned has
09:58:57 22 been made by Board Member Jones. Is there a second?

09:59:03 23 COMMITTEE MEMBER WASHINGTON: Second.

09:59:04 24 CHAIRPERSON MEDINA: It's been seconded by Board
09:59:06 25 Member Washington.

09:59:07 1 Call the roll, please.

09:59:09 2 SECRETARY HARRIS: Jones?

09:59:10 3 COMMITTEE MEMBER JONES: Aye.

09:59:11 4 SECRETARY HARRIS: Paparian?

09:59:13 5 COMMITTEE MEMBER PAPARIAN: Aye.

09:59:14 6 SECRETARY HARRIS: Washington?

09:59:14 7 COMMITTEE MEMBER WASHINGTON: Aye.

09:59:15 8 SECRETARY HARRIS: Medina?

09:59:15 9 CHAIRPERSON MEDINA: Aye.

09:59:16 10 This resolution will go on the consent calendar.

09:59:21 11Fiscal consent.

09:59:22 12 DEPUTY DIRECTOR LEE: Thank you, Mr. Chairman.

09:59:23 13 Board Item 10, Committee Item C, consideration of

09:59:26 14contractor for the engineering and environmental services

09:59:29 15contract tire recycling management fund, Fiscal Year

09:59:33 162002/2003. Please note that the agenda item is

09:59:37 17appropriately titled, but that the resolution title for

09:59:40 18this item is incorrect and contains a reference to fiscal

09:59:44 19year 2003/04 instead of 2002/03. I guess my staff is just

09:59:54 20alerting me. I guess we did make a late change in that.

10:00:00 21 Stacey Patenaude will make the staff

10:00:03 22presentation.

10:00:05 23 MS. PATENAUDE: Good morning, Chairman Medina,

10:00:09 24members of the Board. My name is Stacey Patenaude. I

10:00:09 25work in the Special Waste Division. I'm here to present

10:00:12 1the item for the consideration for contractor of the
10:00:13 2Engineering environmental services contract.
10:00:15 3 I'd like to give you a brief presentation on the
10:00:18 4work that we have completed with this contract and our
10:00:22 5proposed course of action over the next couple years with
10:00:25 6this contract.
10:00:30 7 (Thereupon an overhead presentation was
10:00:30 8 presented as follows.)
10:00:30 9 MS. PATENAUDE: Previous projects completed under
10:00:43 10this contract, first one was the Dixon Landing interchange
10:00:47 11project in which 660,000 tires were used as lightweight
10:00:51 12fill in San Jose. This is a cooperative agreement with
10:00:54 13CalTrans. This project saved the State of California
10:00:57 14approximately quarter-million-dollars over using
10:01:00 15conventional lightweight film.
10:01:04 16 --o0o--
10:01:04 17 MS. PATENAUDE: Another project that was done in
10:01:06 181999 was vibration attenuation test pad that we completed
10:01:11 19through this contract with subcontractors hired through
10:01:16 20this contract. And it was constructed down at Chicago
10:01:20 21Gray Test Landfill. This was to evaluate the energy
10:01:24 22absorption characteristics of tire shreds.
10:01:28 23 --o0o--
10:01:28 24 MS. PATENAUDE: Based on that study, the Valley
10:01:30 25Transit Authority in conjunction with the Waste Board

10:01:34 1actually built a test section in their San Jose yard in
10:01:38 2January of 2003. We supplied the tire material, and they
10:01:43 3did all the rest. And Dr. Dana Humphreys and our
10:01:51 4acoustical engineer Wilson Eric did the monitoring of
10:01:52 5this.

10:01:53 6 --o0o--

10:01:53 7 MS. PATENAUDE: Based on finding of the two
10:01:54 8studies, Valley Transit Authority chose to use this as
10:01:58 9their vibration mitigation in their line expansion.
10:02:03 10Approximately 2,000 feet of track is being constructed.
10:02:05 11This will use around 100,000 tires. This will help VTA
10:02:12 12meet federally-mandated vibration mitigation standards and
10:02:15 13also actually save them money over the next available
10:02:19 14technology. So this was a big win for us.

10:02:23 15 --o0o--

10:02:23 16 MS. PATENAUDE: Future projects that we have in
10:02:26 17the work are the Route 91 retaining walls which will be
10:02:32 18constructed in Riverside County in conjunction with
10:02:35 19CalTrans. The first wall which is approximately 200-feet
10:02:38 20long is scheduled to start construction this month, and we
10:02:41 21should be installing instrumentation in that to monitor
10:02:46 22the effectiveness of tire shreds as lightweight fill.
10:02:48 23 That wall is just a test. It will be using
10:02:53 24standard CalTrans specs for the wall, but we also have
10:02:57 25another agreement for a second wall to be constructed

10:02:59 1later on or beginning of next year in which a redesigned
10:03:05 2cross section using less steel and concrete will be
10:03:08 3utilized, and we will be a part of that project. We
10:03:13 4believe that this will demonstrate to CalTrans using tire
10:03:18 5shreds they can build retaining walls and save the state
10:03:21 6of California money.

10:03:23 7 The next one is we are going to continue to
10:03:26 8promote vibration mitigation for light rail systems.
10:03:28 9We've been contacting a number of rapid transit
10:03:32 10authorities trying to find out any expansions that may
10:03:35 11need this.

10:03:36 12 This contractor will also be used with part of
10:03:40 13the steering committee for the seismic dampening research
10:03:44 14contract with the University of California at Davis it is
10:03:48 15currently undergoing.

10:03:48 16 --o0o--

10:03:48 17 MS. PATENAUDE: Contract objectives, over the
10:03:50 18next three or four years are to get the tire shreds used
10:03:55 19as lightweight fill accepted in CalTrans standard
10:03:59 20provisions. Therefore, it won't be considered an
10:04:01 21experimental material anymore. When they go out for bid
10:04:04 22on projects that need lightweight fill that a general
10:04:08 23contractor construction firm can select tires whether it's
10:04:13 24economically beneficial to them.

10:04:16 25 Next one is to promote tire shreds on civil

10:04:20 1engineering applications with local and private sector
10:04:22 2engineering firms. We've done a lot of work with CalTrans
10:04:26 3and we'd like to focus more of our efforts towards
10:04:29 4counties and cities and private firms for their type of
10:04:33 5projects.

10:04:34 6 --o0o--

10:04:34 7 MS. PATENAUDE: We will continue education of
10:04:36 8state, local, and private sector engineers and expand our
10:04:39 9educational opportunities to the institutes of higher
10:04:43 10learning, such as the U.C. systems. We will continue to
10:04:46 11research new uses for shredded tiring through this
10:04:51 12contract.

10:04:52 13 --o0o--

10:04:52 14 MS. PATENAUDE: The selection process used for
10:04:54 15this was the request for qualification. Three statements
10:04:58 16of qualifications were received in response to the RFQ.
10:05:02 17The three SRQs were reviewed and scored. Three
10:05:07 18contractors were then interviewed. The contractor with
10:05:10 19the highest score from the interview was then selected.
10:05:15 20 The three firms that was Chico State University,
10:05:19 21Dr. Dana Humphreys and his project team and Tetra Tech,
10:05:23 22Inc.

10:05:27 23 --o0o--

10:05:27 24 MS. PATENAUDE: After completion of the
10:05:28 25interviews, Dr. Dana Humphreys team was selected as the

10:05:32 1most qualified proposer for this contract.

10:05:40 2 Staff would like to recommended -- therefore, we
10:05:42 3recommended approval of Resolution 2003-277 for the award
10:05:47 4of the engineer environmental services contract for the
10:05:51 5amount of \$500,000 to Dr. Dana Humpheys and his project
10:05:55 6team.

10:05:56 7 If you have any questions, I'd be happy to answer
10:05:59 8them.

10:05:59 9 CHAIRPERSON MEDINA: Before I take questions and
10:06:02 10we have a motion to this resolution, let me just say that
10:06:07 11this is an excellent reuse of waste tires and want to
10:06:11 12commend staff for all the work you have donean this. And
10:06:13 13also want to commend CalTrans for their cooperation in
10:06:17 14working with our staff in regard to this.

10:06:19 15 So Board Member Paparian.

10:06:22 16 COMMITTEE MEMBER PAPARIAN: Thank you,
10:06:22 17Mr. Chairman. I had a very interesting meeting with
10:06:25 18Mr. Humphreys and our staff about this. And one of the
10:06:27 19things I came away from that meeting thinking was that for
10:06:33 20some of the projects -- particularly the light rail
10:06:37 21related projects, we may need to look at helping provide
10:06:43 22some political pressure on some of the entities, much in
10:06:47 23the same way we did with CalTrans in order to get them to
10:06:51 24pay attention to the opportunities that are there for use
10:06:56 25of tires in the light rail projects that have been

10:07:00 1demonstrated. And certainly there's quite a few light
10:07:04 2rail projects out there right now.

10:07:06 3 And I think -- from what I understood, there is
10:07:09 4some receptivity amongst the light rail operators. But in
10:07:14 5some cases you do have light rail operators who are used
10:07:20 6to doing things in a certain way and haven't used tires of
10:07:23 7before and are, therefore, a little bit less open than
10:07:27 8perhaps they should be to the opportunities that might be
10:07:29 9there for use of tires.

10:07:30 10 So I think as this project moves forward we may
10:07:34 11want to work with staff. I know that I certainly know
10:07:37 12some of the officials at some of the transit agencies, and
10:07:42 13I suspect some other members here do as well. And see if
10:07:46 14there are some opportunities to help open some doors for
10:07:50 15our staff and our contractors so they can get in there and
10:07:55 16make the type of presentations that hopefully will lead to
10:07:58 17more use of tires for this use.

10:08:01 18 CHAIRPERSON MEDINA: Thank you. Any other Board
10:08:04 19members have any comments?

10:08:05 20 Board Member Jones.

10:08:06 21 COMMITTEE MEMBER JONES: Just again,
10:08:08 22congratulations, that work -- the light rail is pretty
10:08:14 23awesome. A lot of stuff you guys are doing is one of the
10:08:17 24reasons I think California is looked at as a leader. So
10:08:22 25you guys can take a lot of credit for that.

10:08:24 1 Mr. Chair, if there's no other questions I'll
10:08:27 2move adoption of -- does this have to be revised because
10:08:31 3of the date or did you guys fix it? I had the old one.
10:08:35 4 DEPUTY DIRECTOR LEE: Apparently so did I.
10:08:36 5Apparently the issue has been resolved.
10:08:40 6 COMMITTEE MEMBER JONES: I'll move adoption of
10:08:40 7Resolution 2003-277, consideration for contractor for the
10:08:44 8engineering and environmental services contract tire
10:08:47 9recycling management fund, Fiscal Year 2002/2003 to
10:08:53 10Dr. Dana Humphreys in the amount of \$500,000.
10:08:57 11 CHAIRPERSON MEDINA: Is there a second on this
10:08:59 12resolution.
10:09:00 13 COMMITTEE MEMBER PAPARIAN: Second.
10:09:01 14 CHAIRPERSON MEDINA: Resolution 2003-277 has been
10:09:05 15moved by Board Member Jones, seconded by Board Member
10:09:08 16Paparian.
10:09:08 17 Substitute the previous roll call, and this will
10:09:12 18go on fiscal consent.
10:09:14 19 DEPUTY DIRECTOR LEE: Thank you, Mr. Chairman.
10:09:17 20 Board Item 11, Committee Item D, consideration of
10:09:20 21contractor for the technology evaluation and economic
10:09:23 22analysis of waste tire pyrolysis, gasification, and
10:09:27 23liquefaction contract tire recycling management fund,
10:09:31 24Fiscal Year 2002/2003.
10:09:33 25 Nate Gauff will make the staff presentation.

10:09:39 1 MR. GAUFF: Good morning, Chair Medina and
10:09:42 2 Committee members. I'm Nate Gauff with the waste tire
10:09:45 3 program and the Special Waste Division.
10:09:47 4 Committee Item D, Board Item 11 is for
10:09:49 5 consideration of contractor for the waste technology
10:09:53 6 evaluation and economic analysis of waste tire pyrolysis,
10:09:57 7 gasification, and liquefaction contract. This is an item
10:10:02 8 that was approved through the five-year plan back in March
10:10:06 9 2001. What this item is looking to do is to update the
10:10:13 10 information that was done by CalRecovery back in 1995 to
10:10:18 11 kind of give us a current state of the technology, current
10:10:22 12 state of the industry in relation to pyrolysis,
10:10:26 13 gasification, liquefaction.
10:10:29 14 The Board approved the scope of work for this
10:10:31 15 contract back the December of 2002. We went out to the
10:10:37 16 U.C. system and C.S.U. system to try to find a contractor,
10:10:42 17 first of which we did receive two qualified proposals, one
10:10:46 18 from UCLA Institute of the Environment and also one from
10:10:50 19 University of California Riverside Center for
10:10:56 20 Environmental Research and Technology.
10:10:58 21 The proposals were evaluated, and staff selected
10:11:01 22 University of California Riverside Center for
10:11:05 23 Environmental Research and Technology and recommend the
10:11:09 24 award amount of \$135,100, which is a little different from
10:11:14 25 what's in -- the contractor is not actually on the

10:11:17 1 resolution and the amount is different. So I just wanted
10:11:22 2 to let you guys know about that.
10:11:25 3 Any questions?
10:11:27 4 CHAIRPERSON MEDINA: Board members, any questions
10:11:28 5 or comments regarding this particular item? If not --
10:11:33 6 COMMITTEE MEMBER JONES: Mr. Chair, I'll move
10:11:35 7 adoption of Resolution 2003-279, consideration of
10:11:40 8 contractor for the technology evaluation and economic
10:11:43 9 analysis and waste tire pyrolysis, gasification, and
10:11:47 10 liquefaction contract tire recycling fund, Fiscal Year
10:11:52 11 2002/2003 to the Center for Environmental Research and
10:11:56 12 Technology at Riverside for \$135,100.
10:12:08 13 CHAIRPERSON MEDINA: That was 135,000 and how
10:12:10 14 much?
10:12:10 15 COMMITTEE MEMBER JONES: 100.
10:12:12 16 MR. GAUFF: 100.
10:12:14 17 CHAIRPERSON MEDINA: Motion has been made. Is
10:12:15 18 there a second? If not, I'll second this myself.
10:12:21 19 Call the roll on this one, please.
10:12:24 20 SECRETARY HARRIS: Jones?
10:12:25 21 COMMITTEE MEMBER JONES: Aye.
10:12:25 22 SECRETARY HARRIS: Paparian?
10:12:26 23 COMMITTEE MEMBER PAPARIAN: Aye.
10:12:28 24 SECRETARY HARRIS: Washington?
10:12:28 25 COMMITTEE MEMBER WASHINGTON: Aye.

10:12:29 1 SECRETARY HARRIS: Medina?

10:12:31 2 CHAIRPERSON MEDINA: Aye.

10:12:34 3 DEPUTY DIRECTOR LEE: Thank you, Mr. Chair.

10:12:35 4 Board Item 12, Committee Item E is consideration of

10:12:37 5the grant awards for the energy recovery from tires grant

10:12:40 6program for Fiscal Year 2002/2003.

10:12:43 7 Nate Gauff will make the staff presentation.

10:12:47 8 MR. GAUFF: Good morning once again.

10:12:49 9 Committee Item E, Board Item 12 is the

10:12:55 10consideration of grant award for the energy recovery from

10:12:58 11tires grant program for Fiscal Year 2002/2003.

10:13:02 12 This program is similar to the grant awards that

10:13:05 13went before the Board last fiscal year looking at

10:13:10 14conducting research activities in relation to facilities

10:13:15 15that use tires as a fuel or supplemental fuel.

10:13:19 16 The scope of work -- I'm sorry. Not the scope of

10:13:21 17work. The criteria for this program was approved at the

10:13:26 18October Board meeting, October 2002. Staff put out an

10:13:31 19application to the facilities, cement kilns, and

10:13:35 20co-generation facilities here in the state. We got three

10:13:39 21applications back. They were scored according to the

10:13:44 22criteria, and the recommendations are to fund all three

10:13:48 23qualified applicants. And the total amount is \$697,466

10:13:58 24for this item.

10:14:02 25 Any questions?

10:14:04 1 CHAIRPERSON MEDINA: Board members, any comments
10:14:06 2 or questions regarding this item?
10:14:08 3 Board Member Paparian.
10:14:10 4 COMMITTEE MEMBER PAPARIAN: Thank you,
10:14:10 5 Mr. Chairman.
10:14:12 6 As you might recall I did raise some questions
10:14:14 7 about the independent third-party peer review back when
10:14:17 8 this item came forward in October. I had some concerns
10:14:22 9 about that when I saw the NOFA and I actually read those
10:14:27 10 concerns before the end of the NOFA comment period. We
10:14:32 11 had a little interchange. And February 28 I asked how the
10:14:36 12 issue of the third-party peer review was being handled,
10:14:39 13 being agendaized at the soonest opportunity. That never
10:14:43 14 happened. And so that's a separate issue which I will
10:14:46 15 talk to Mr. Leary about.
10:14:48 16 But I do continue to be concerned that we've
10:14:52 17 assured that independent third-party peer review was
10:14:56 18 properly conducted. So I do have a suggested revision to
10:15:03 19 the resolution which I believe incorporates the direction
10:15:09 20 given in the October agenda item. And my staff is handing
10:15:15 21 that out right now. If you look, there is a -- I'll wait
10:15:23 22 until she hands that out so everybody has an opportunity
10:15:25 23 to see that.
10:15:29 24 MR. GAUFF: I just wanted to add one other thing
10:15:31 25 I forgot to mention in my presentation. In the resolution

10:15:36 1where it has the table with the funding recommendations,
10:15:39 2in the funds recommended column for Lehigh Cement
10:15:42 3Southwest Cement, which is the first applicant, I made a
10:15:47 4typo on that one. It should be 197,466. The total is
10:15:53 5correct. But that -- for that one applicant, the amount
10:15:58 6recommended was incorrect.

10:16:09 7 COMMITTEE MEMBER PAPARIAN: So the suggested
10:16:10 8additional clause would be, "As part of the grantee's
10:16:15 9responsibility relative to receiving the funds from the
10:16:17 10Board, the grantees will prepare written reports of the
10:16:21 11project design specifications, operating parameters, test
10:16:24 12results, and overall findings as pertinent to the project
10:16:26 13objectives. The reports will be submitted for independent
10:16:28 14third-party peer review to entities with expertise in
10:16:32 15energy use, air and ash characteristics and health risk
10:16:34 16assessments."

10:16:35 17 Board staff will report back to the Board and
10:16:38 18Special Waste Committee on the outcomes and/or progress of
10:16:41 19these peer review efforts no later than December 1st,
10:16:43 202003, even if the work of the grantees is still in
10:16:47 21progress. This again captures language both from the
10:16:51 22resolution of last October as well as some of the
10:16:57 23narrative description in the agenda item itself.

10:17:06 24 DEPUTY DIRECTOR LEE: Mr. Chairman, like I said,
10:17:09 25I would agree with Mr. Paparian. I think that the

10:17:11 1language that he is proposing in the resolution is
10:17:15 2consistent with what staff feels is the intent of the
10:17:20 3overall grant award. And we would have certainly have no
10:17:23 4objection with the language as written.

10:17:25 5 CHAIRPERSON MEDINA: Board Member Jones.

10:17:26 6 COMMITTEE MEMBER JONES: Yeah. I have a
10:17:27 7question. The third-party peer review, is it to see --
10:17:31 8because I remember the discussion we had and it was about
10:17:33 9exchanging the information. There was a concern that with
10:17:37 10the information be available could it be exchanged, as I
10:17:41 11remember it. And I think everybody agreed that it should
10:17:44 12and it needed to be. Is the -- is there a limit on this
10:17:50 13third-party peer review? I'd like to know what exactly
10:17:54 14this third-party peer review is going to entail.

10:17:57 15 COMMITTEE MEMBER PAPARIAN: That's exactly the
10:17:58 16sort of thing I wanted to get at the agenda item I
10:18:03 17requested back in February that didn't happen. But I can
10:18:06 18tell you that the resolution from last October said that
10:18:08 19the research results from the projects funded under this
10:18:11 20grant program will undergo on independent third-party peer
10:18:17 21review. And if you go back to the transcript --

10:18:20 22 COMMITTEE MEMBER JONES: That's fine. I
10:18:20 23understand that. I'm asking, is it limited to what the
10:18:26 24dollars are going to be used in this contract to
10:18:29 25facilitate?

10:18:33 1 COMMITTEE MEMBER PAPARIAN: I'm not sure I
10:18:34 2understand the question.

10:18:35 3 COMMITTEE MEMBER JONES: If you've got one of
10:18:37 4these proposals that is a canon that is going to actually
10:18:39 5be able to place tires in different parts of the kiln to
10:18:44 6effectively deal with the temperatures, deal with the
10:18:48 7loading, and also its goal is to reduce emissions, is it
10:18:52 8going -- is the third-party peer review going to be on the
10:18:58 9success or not success or how that canon is working, or is
10:19:03 10the third-party peer review going to be extended beyond
10:19:06 11that?

10:19:10 12 COMMITTEE MEMBER PAPARIAN: I would presume it
10:19:12 13would be on how the item is operating as well as the
10:19:18 14alleged impacts of that item.

10:19:21 15 COMMITTEE MEMBER JONES: Okay. Just the item
10:19:22 16that's part of the grant?

10:19:29 17 COMMITTEE MEMBER PAPARIAN: The reason I hesitate
10:19:31 18is that if there's an assertion that as a result of the
10:19:35 19grant, air emissions will go down, air emissions aren't
10:19:41 20part of the grant. That's what is being suggested would
10:19:44 21be the result of the grant and that ought to be looked at.

10:19:48 22 COMMITTEE MEMBER JONES: How do we fund the
10:19:49 23third-party peer review?

10:19:51 24 COMMITTEE MEMBER PAPARIAN: We have \$75,000 in
10:19:55 25the 03/04 budget for that purpose.

10:19:59 1 COMMITTEE MEMBER JONES: Okay. No problem. As
10:20:01 2long as it's limited to what the grant dollars are
10:20:04 3because -- I apologize. I was the Chair of this
10:20:06 4Committee, and I thought we had taken care of your issues.
10:20:10 5But obviously we didn't, I guess. But so I apologize.
10:20:15 6That burden is solely mine.

10:20:21 7 CHAIRPERSON MEDINA: Thank you for your comments
10:20:23 8on this item.

10:20:24 9 Board members, are we ready to move this item
10:20:28 10with the proposed change in the resolve clause?

10:20:34 11 COMMITTEE MEMBER JONES: Mr. Chair.

10:20:36 12 CHAIRPERSON MEDINA: Board Member Jones.

10:20:37 13 COMMITTEE MEMBER JONES: I'll move adoption of
10:20:39 14Resolution 2003-280 revised to include Mr. Paparian's "now
10:20:50 15therefore be it resolved" and with the clear understanding
10:20:55 16that the peer review is on the issues dealing solely with
10:20:59 17the grant funded materials for the total of \$697,466.

10:21:12 18 CHAIRPERSON MEDINA: Is there a second?

10:21:18 19 COMMITTEE MEMBER PAPARIAN: I'll second it, but
10:21:19 20I'd like to add just one thing.

10:21:23 21 As everybody knows, I have been griping about the
10:21:27 22amount of money that's been going to TDF-related projects
10:21:32 23over the last couple of years. My griping about this has
10:21:35 24been interpreted in many ways and reported in several
10:21:40 25ways.

10:21:43 1 My belief is -- and it's been very consistent --
10:21:46 2that we shouldn't be funding these items for TDF at a
10:21:55 3level that's higher than what we're spending on things
10:21:59 4that I believe are higher on the hierarchy. I have been
10:22:05 5careful not to oppose TDF, per se. I spoke with the TDF
10:22:11 6industry folks a week or two ago and let them know it's
10:22:16 7been my belief that the technology should rise or fall on
10:22:23 8its own merits and without financial subsidy or support
10:22:26 9from the tire program.
10:22:32 10 But given this money, you know, was allocated and
10:22:36 11in a way consistent with the prior version of the
10:22:44 12five-year plan and with the new resolve clause, I'll go
10:22:47 13ahead and vote for it today. But it shouldn't be taken as
10:22:51 14an indication that I believe that it's a good use or the
10:22:54 15best use of the money from the tire program. I think
10:22:57 16there are higher things on the hierarchy that money would
10:23:00 17be better spent on.
10:23:03 18 CHAIRPERSON MEDINA: Resolution 2003-280 has been
10:23:06 19moved by Board Member Jones, seconded by Board Member
10:23:09 20Paparian.
10:23:09 21 Call the roll on the item, please.
10:23:12 22 SECRETARY HARRIS: Jones?
10:23:12 23 COMMITTEE MEMBER JONES: Aye.
10:23:12 24 SECRETARY HARRIS: Paparian?
10:23:12 25 COMMITTEE MEMBER PAPARIAN: Aye.

10:23:12 1 SECRETARY HARRIS: Washington?

10:23:14 2 COMMITTEE MEMBER WASHINGTON: Aye.

10:23:14 3 SECRETARY HARRIS: Medina?

10:23:16 4 CHAIRPERSON MEDINA: Aye.

10:23:21 5 DEPUTY DIRECTOR LEE: Thank you, Mr. Chairman.

10:23:24 6 Board Item Number 29.

10:23:27 7 CHAIRPERSON MEDINA: Excuse me. That item will

10:23:28 8go on fiscal consent.

10:23:30 9 DEPUTY DIRECTOR LEE: Thank you, Mr. Chairman.

10:23:32 10Board Item Number 29, Committee Item F is consideration of

10:23:35 11enforcement and cost recovery issues for the waste tire

10:23:39 12cleanup grant program. This item precedes the Board Item

10:23:43 1313 discussion. It was the determination of our legal

10:23:49 14division and within discussions with program staff that

10:23:53 15because there are some policy implications with Board Item

10:23:57 1613 that we needed to have a separate policy discussion on

10:24:00 17this issue to precede it. So that was the kind of the

10:24:03 18genesis for the Board Item Number 29 that's been prepared

10:24:08 19in collaboration with our legal division colleagues.

10:24:11 20 Bob Fujii will make the staff presentation.

10:24:15 21 COMMITTEE MEMBER JONES: Mr. Chair, can I ask a

10:24:16 22question?

10:24:17 23 CHAIRPERSON MEDINA: Board Member Jones.

10:24:18 24 COMMITTEE MEMBER JONES: Mr. Lee, was this item

10:24:20 25brought forward by the tire staff or by legal staff?

10:24:27 1 DEPUTY DIRECTOR LEE: At this point it was done
10:24:35 2at the behest of our legal division.
10:24:36 3 COMMITTEE MEMBER JONES: I just want to know
10:24:36 4because it's not consistent with some things. I'm trying
10:24:37 5to figure out -- trying to put pieces together. Thank
10:24:40 6you.
10:24:44 7 SPECIAL WASTE DIVISION SUPERVISOR FUJII: Good
10:24:44 8morning, members of the Board. Bob Fujii with the Special
10:24:44 9waste division.
10:24:45 10 Before I begin, I wanted to read into the record
10:24:48 11a few changes to the item. You have before you I believe
10:24:51 12now resolution 2003-206, which wasn't originally put in
10:24:57 13the item. So let me start by -- if you look at the agenda
10:25:01 14item under "Options for the Board," let's start by
10:25:04 15striking out the words under number one "proposed herein"
10:25:08 16and add "by approving resolution 2003-306."
10:25:14 17 COMMITTEE MEMBER JONES: Where are you?
10:25:16 18 SPECIAL WASTE DIVISION SUPERVISOR FUJII: On
10:25:16 19Page 1 of the item under Roman numeral III "Options for
10:25:21 20the Board" under number 1, again, striking out the word
10:25:25 21"proposed herein" and adding the words "by approving
10:25:28 22resolution 2003-306." And then under number 2 again
10:25:34 23striking out the word "proposed herein" and adding the
10:25:39 24words "by approving 2003-306." I apologize for that.
10:25:52 25 As Mr. Lee alluded to, the purpose of this item

10:25:55 1is for the Board to consider enforcement and cost recovery
10:26:00 2issues that have arisen on several of the waste tire
10:26:02 3cleanup grants that the Board will be considering for
10:26:04 4approval under Item G, Board Item 13.

10:26:08 5 There are two ways that we clean up waste tire
10:26:11 6sites in our programs. The first is through our normal
10:26:15 7waste tire cleanup program where we use Board-managed
10:26:20 8clean up and our contractors do the job. And the second
10:26:23 9is through the legal government waste tire cleanup
10:26:26 10program.

10:26:27 11 Under the grant program the Board directs expense
10:26:30 12funds for our contract for the remediations which are
10:26:33 13typically privately-owned sites where the property owners
10:26:38 14fail to remediate the site after taking the proper
10:26:41 15enforcement actions, and then the Board will pursue cost
10:26:45 16recovery against those owners.

10:26:47 17 Under the waste tire cleanup grant program,
10:26:49 18however, the Board provides funding to the local
10:26:51 19governments who then clean up legacy piles on Indian lands
10:26:57 20and also tires on both public and private properties. And
10:27:01 21since many of the properties were cleaned up under the
10:27:05 22program were owned by the local government, which are
10:27:08 23right-of-ways, easements, alleyways, those kinds of
10:27:10 24things, the Board does not typically pursue cost recovery
10:27:13 25against those sites, but, however, the local government

10:27:15 1will also propose on occasion to clean up privately-owned
10:27:18 2property.
10:27:21 3 And herein lies a problem. So even though the
10:27:24 4Board awards the grants, the local governments -- but they
10:27:27 5cleanup privately-owned property, we are required by law
10:27:30 6to pursue cost recovery from those land owners to the
10:27:34 7extent it's feasible to do so. And, of course, the
10:27:37 8problem that we have with doing that is that many of these
10:27:40 9sites are located in fairly remote areas of the state.
10:27:43 10And some of the land owners do not live on the land, they
10:27:49 11are victims of unauthorized illegal dumping.
10:27:52 12 Historically what we found through our own
10:27:53 13cleanup program is that sites under 5,000 tires can be
10:27:57 14extremely expensive to clean up, especially if they're in
10:28:00 15these remote areas. Typically what we do in those
10:28:04 16situations, we try to combine some of the smaller sites to
10:28:07 17maximize our costs and also our resources by doing them
10:28:10 18all together at the same time.
10:28:15 19 COMMITTEE MEMBER WASHINGTON: Excuse me,
10:28:15 20Mr. Chairman. Can we -- in issuing these grants, can
10:28:19 21we -- what's the word I'm looking for? Can we tell local
10:28:24 22governments they can't issue this money to private owners?
10:28:31 23I mean, can the Board say that as a grantee you cannot
10:28:37 24issue this money to private land owners?
10:28:41 25 SPECIAL WASTE DIVISION SUPERVISOR FUJII: You

10:28:42 1know, legal can chime in on this, but I don't believe we
10:28:45 2would have the authority to tell -- we can tell them if
10:28:50 3you spent the money on this privately-owned property, this
10:28:54 4Board would recover those costs, as opposed to a
10:28:57 5publicly-owned property where the Board would not pursue
10:29:00 6that cost recovery under that granted. So I guess the
10:29:05 7answer to the question is we would probably not do that.
10:29:07 8We would tell them if you spend the money on a privately
10:29:10 9owned property, that's what this policy is about.

10:29:14 10 COMMITTEE MEMBER WASHINGTON: These grants are
10:29:14 11issued to local government; is that correct?

10:29:17 12 SPECIAL WASTE DIVISION SUPERVISOR FUJII:
10:29:17 13 Correct.

10:29:17 14 COMMITTEE MEMBER WASHINGTON: So you're saying
10:29:18 15when we issue the grants to local government, we can't say
10:29:21 16to the local government what you can spend it on.

10:29:25 17 SPECIAL WASTE DIVISION SUPERVISOR FUJII: Well, I
10:29:25 18don't believe that in the way that the application is
10:29:28 19written that we've done that. And I suppose if we receive
10:29:32 20direction from the Board to do that, we would do that.
10:29:35 21But today we have not done that.

10:29:38 22 CHAIRPERSON MEDINA: And can we hear from legal
10:29:40 23counsel on that? Counsel.

10:29:42 24 CHIEF COUNSEL TOBIAS: I would agree with what
10:29:44 25staff's saying.

10:29:48 1 COMMITTEE MEMBER JONES: Didn't we get put in a
10:29:49 2secondary position -- I'm sorry.

10:29:51 3 CHAIRPERSON MEDINA: Board Member Jones.

10:29:53 4 COMMITTEE MEMBER JONES: We did a tire clean up
10:29:54 5through a local government where we got put into a
10:29:56 6secondary position for cost recovery, and they never did
10:30:00 7any cost recovery. So how can we say we never did that.
10:30:05 8We actually did do that.

10:30:07 9 CHIEF COUNSEL TOBIAS: I think generally what
10:30:09 10we're saying -- the answer to the question Mr. Washington
10:30:11 11said was that he asked whether or not we could not give it
10:30:16 12to private property. And certainly the Board could make a
10:30:20 13policy saying that. But generally the way -- following
10:30:24 14Board policy at this point, the way we would do it is to
10:30:28 15say if there is private property right now, the Board
10:30:31 16policy is cost recovery. That's what this item is about
10:30:34 17is basically saying there are certain circumstances which
10:30:39 18staff is proposing to give grants where there would not be
10:30:44 19cost recovery. That's the reason this item is coming up
10:30:47 20the way it is because it would be a deviation from our
10:30:50 21current policy, which is to pursue cost recovery in all
10:30:53 22situations.

10:30:55 23 COMMITTEE MEMBER JONES: But when we're giving
10:30:56 24grants to local governments to do the clean up and then
10:31:00 25Board members asked staff how do we do on cost recovery,

10:31:06 1we didn't do cost recovery because it was in the hands of
10:31:10 2local government. They didn't pursue cost recovery.
10:31:12 3So -- and it was like -- I think I remember at the time we
10:31:16 4didn't have -- you know, we didn't have a standing in that
10:31:19 5issue.

10:31:20 6 CHIEF COUNSEL TOBIAS: So that's why we're
10:31:22 7bringing this forward now is to clarify what that
10:31:25 8situation is.

10:31:26 9 If the Board would like to continue to do cost
10:31:28 10recovery on every grant that goes out on private property,
10:31:35 11then that is the current policy. The problem is that the
10:31:41 12local governments according -- and this is what the staff
10:31:44 13report says, is that local governments in some of these
10:31:48 14limited cases that are being proposed in this agenda item
10:31:52 15do not want the grants. They will not go out and pick
10:31:55 16them up unless they don't have to do cost recovery.

10:32:01 17And so you'll notice -- and this is kind of getting ahead
10:32:07 18of Bob's staff report. But on page 3-3 you'll see where
10:32:11 19there's some very limited circumstances that staff is
10:32:13 20proposing to not do cost recovery in those circumstances
10:32:19 21where it's in a remote area and that it would be very
10:32:24 22difficult to do the tires otherwise, where there's a
10:32:30 23number of overlapping sites, or where there's some
10:32:39 24incidental clean up on private property next to roads.

10:32:40 25 So in one situation, you're right. We did end up

10:32:43 1in that situation. When this item came forward, staff was
10:32:49 2proposing these limited circumstances, and that's why
10:32:54 3staff and program staff and the legal staff agreed that we
10:32:58 4needed to bring this to the Board and get clarification on
10:33:00 5it.

10:33:01 6 So the options today are to basically approve
10:33:05 7some limited circumstances to enhance this program and to
10:33:09 8get better subscription to it, if you will, or to
10:33:12 9basically say no, we don't want to do that and keep it the
10:33:16 10way it is, in which case that will limit some of those
10:33:19 11clean ups. So does that -- that might be more than you
10:33:24 12wanted to know, but I'm trying to put this together.

10:33:28 13 CHAIRPERSON MEDINA: Any inclination in regard to
10:33:29 14this item because of the -- I guess the various
10:33:33 15considerations -- and I think this is an item that merits
10:33:40 16full Board discussion from my perspective. I would just
10:33:45 17rather move this so we have a discussion before the full
10:33:49 18Board on this. I think it's a very serious issue. It
10:33:53 19gives us at least another week to go over this.

10:33:56 20 Board Member Washington.

10:33:57 21 COMMITTEE MEMBER WASHINGTON: I guess, Mr. Chair,
10:33:58 22I raised that because when I read the history of this and
10:34:01 23it says, "The purpose and scope of this tire grant program
10:34:03 24is for local governments at the local government waste
10:34:07 25tire clean up provides funding for local governments to

10:34:10 1remove, transport, or reuse or disposal of waste tires
10:34:14 2from stockpiles and nuisance dumping in the community
10:34:19 3statewide." And then when I go down and read "A
10:34:21 4substantial portion of this grant is awarded to local
10:34:24 5governments to abate illegal tire disposal sites that are
10:34:28 6located along roadsides and other public right-of-ways,"
10:34:33 7public right-of-ways are not in private community. That's
10:34:36 8the concern I have. If there's some clarification to
10:34:38 9that, I think we need to be clearer on this what might do.
10:34:42 10I don't have a problem. I just want to make sure we're
10:34:45 11clear on what this grant is used for and that we're not
10:34:48 12just out allowing local governments to use money because
10:34:51 13someone comes in and says, "I have a legacy tire site in
10:34:53 14my backyard, can you come clean it up."
10:34:57 15 CHIEF COUNSEL TOBIAS: Mr. Medina, can I finish
10:34:59 16answering the question?
10:35:00 17 CHAIRPERSON MEDINA: Go ahead.
10:35:01 18 CHIEF COUNSEL TOBIAS: Mr. Washington, I think
10:35:02 19that's precisely what this item is about. What we were
10:35:05 20concerned is that you would have an inequity, that exactly
10:35:08 21that would happen. That somebody -- one of the local
10:35:10 22governments would basically clean up a good-size pile, not
10:35:16 23pursue cost recovery, and then our program would be going
10:35:19 24after very similar piles and we would be pursuing cost
10:35:23 25recovery.

10:35:24 1 So your question is answered on page 3-3 in
10:35:30 2number 3 where basically it says that to a great extent
10:35:33 3that is what a lot of the grants are used for is to clean
10:35:37 4up rights-of-way and other public areas that do get, you
10:35:43 5know, public dumping. What we're saying in that
10:35:45 6particular circumstance is where you get dumping in a
10:35:48 7public right-of-way and there's a small amount -- and that
10:35:52 8key is small amount -- that spills over -- we use the word
10:35:55 9incidental to mean that if you have a big pile on a
10:35:58 10private piece of property some of it happens to be on the
10:36:01 11roadway, that would not qualify. The majority of the
10:36:05 12tires have to be on the public right-of-way with a small
10:36:08 13amount of spillover to private property. We would assume
10:36:12 14in that situation that the property owner was not
10:36:14 15responsible if most of the tires were on the right-of-way.
10:36:18 16Because property owners in this situation would have to
10:36:20 17turn over an affidavit that says they are not -- under
10:36:23 18penalty of perjury, they were not responsible for the
10:36:25 19tires being there.

10:36:28 20 Does that help answer your question?

10:36:30 21 Mr. Medina, I don't if staff -- it might be
10:36:32 22helpful to hear any other questions that Board members
10:36:35 23have so we could get ready to answer.

10:36:38 24 CHAIRPERSON MEDINA: I'm getting ready to hear
10:36:41 25from Board Member Jones. I have not cut off discussion of

10:36:44 1 this item yet.

10:36:44 2 Board Member Jones.

10:36:44 3 COMMITTEE MEMBER JONES: Thank you, Mr. Chair.

10:36:49 4 I have a problem with this agenda item because I

10:36:52 5 think that it's also preemptive of any discussion that

10:36:55 6 we're going to have on Sonoma. I think it's a clear

10:36:59 7 tactic to limit the Board's discretion in how we deal with

10:37:06 8 the Sonoma tire piles by quantifying exactly in this

10:37:11 9 agenda item where we have discretion. And I think while

10:37:15 10 that's pretty slick, I think it is not fair. It's

10:37:21 11 definitely not fair to my efforts over the last two years

10:37:25 12 or Mr. Medina's or other members who have tried to solve

10:37:29 13 that Sonoma pile tire, which -- tire piles, which were put

10:37:34 14 there in the 50s as legitimate erosion control and now

10:37:40 15 have to come out. And we're trying to work on a thing to

10:37:43 16 fix it.

10:37:43 17 And it's pretty clear that Ms. Tobias and I don't

10:37:47 18 agree on the method to do that. And I see this policy as

10:37:52 19 a direct slam to stop that. And it's okay to laugh about

10:37:57 20 it, but I've been dealing with lawyers for about 20 years.

10:38:01 21 And that's how I feel. Because you've made it very clear

10:38:05 22 that if anybody has ever had knowledge in this thing for

10:38:09 23 all cases, private property owners must sign a declaration

10:38:12 24 under penalty of perjury that they didn't personally bring

10:38:16 25 the tires on site, didn't profit from the placement, nor

10:38:19 1did they direct, authorize, license, permit, lease legally
10:38:24 2or illegally or otherwise provide consent to another to
10:38:27 3bring the tires on site.

10:38:29 4 Sonoma was -- if all of the things that we know
10:38:33 5about Sonoma, in the 50s a reasonable way to deal with
10:38:41 6erosion was the use of tires. Those people now are being
10:38:46 7asked to remove those tires by this Board. I have no
10:38:48 8problem with that. But I sure do have a problem when I'm
10:38:55 9told by legal that I have no remedy except to take their
10:38:58 10farms. And I'm not in a position to take a family farm
10:39:05 11for a system that had been acknowledged statewide as a way
10:39:09 12to deal with remediation.

10:39:11 13 I'm sure as heck not going to be with a policy
10:39:14 14while under the -- to deal with one issue that could, in
10:39:19 15effect, stop us from any alternatives in another issue.
10:39:24 16That's how I see this item.

10:39:25 17 So that's my question. Does this do that?

10:39:29 18 CHIEF COUNSEL TOBIAS: It's not intended to do
10:39:30 19that, nor do I think it does that. I certainly think that
10:39:34 20you can -- the Board can make it clear that this in no way
10:39:38 21applies to Sonoma. I think we have a Sonoma tire item
10:39:42 22coming forward that has all the options open for the
10:39:44 23Board.

10:39:45 24 This one arises out of a long-standing situation
10:39:48 25which actually you just referred to where we did have a

10:39:53 1local government do the clean up. They did not pursue
10:39:57 2cost recovery, and that ended up being a problem and
10:40:00 3contrary to the Board's policy.
10:40:02 4 So the reason this is in front of you today is
10:40:04 5that there are some very limited circumstances that staff
10:40:08 6has been able to delineate that would allow these piles to
10:40:15 7be cleaned up where they're very unlikely to be cleaned up
10:40:20 8by us or anyone else.
10:40:21 9 So as far as I'm concerned from a legal
10:40:23 10standpoint, and I think program, from a program
10:40:24 11standpoint, is that this is limited to the local tire
10:40:28 12grants in this situation. And I think it would be
10:40:31 13relatively simple to say if you do suspect that's the
10:40:36 14case, which I can assure you was not, that this does not
10:40:40 15apply to the Sonoma situation. So I think that's a fairly
10:40:43 16easy fix if that's a concern.
10:40:49 17 But it's actually a long-standing problem. It's
10:40:53 18come up because I think staff is concerned that we don't
10:40:56 19have a way of getting these other tires picked up and
10:41:00 20really it doesn't have anything to do with the Sonoma
10:41:04 21situation.
10:41:04 22 CHAIRPERSON MEDINA: Thank you, again.
10:41:05 23 Because of all of the Board members' interest in
10:41:08 24this area and because we will be engaging in some full
10:41:14 25Board discussions in regard to issues that arise, I want

10:41:18 1to thank the legal staff for adding to the discussion in
10:41:23 2regard to this area. My inclination just on instinct
10:41:27 3tells me I should move this to the full Board without any
10:41:32 4recommendation at this Committee so all of the Board
10:41:35 5members can have an opportunity to discuss this in full.
10:41:38 6So unless I hear otherwise, then this item will be moved
10:41:42 7to the full Board for discussion.
10:41:45 8 And do I need a motion for that? Okay. Then
10:41:49 9this -- as a Chair, I will move this to the full Board for
10:41:56 10discussion.
10:41:57 11 DEPUTY DIRECTOR LEE: Thank you, Mr. Chairman.
10:41:58 12 Board Item 13, Committee Item G is consideration
10:42:01 13of the grant awards for the local government waste tire
10:42:03 14cleanup grant program for Fiscal Year 2002/2003. As we've
10:42:08 15just discussed, there may be some other issues that we
10:42:14 16attempted to address in Board Item 29 that may bear on
10:42:16 17your -- any determination you make on Board Item 13.
10:42:20 18 What's the Committee's pleasure with regards to
10:42:23 19hearing this measure now or moving that to the full Board?
10:42:29 20 CHAIRPERSON MEDINA: I think at this point we
10:42:31 21will take a 10-minute break.
10:42:35 22 (Thereupon a recess was taken.)
10:58:33 23 CHAIRPERSON MEDINA: This meeting is called back
10:58:35 24to order.
10:58:36 25 Members, any ex partes?

10:58:37 1 Board Member Jones.

10:58:39 2 COMMITTEE MEMBER JONES: Thanks, Mr. Chair.

10:58:39 3 Chuck Helget, and I think that was it.

10:58:43 4 CHAIRPERSON MEDINA: Board Member Washington, any

10:58:46 5ex partes?

10:58:46 6 COMMITTEE MEMBER WASHINGTON: Chuck Helget,

10:58:47 7Mr. Chair.

10:58:49 8 CHAIRPERSON MEDINA: Board Member Paparian.

10:58:51 9 COMMITTEE MEMBER PAPARIAN: Yeah. George Larson

10:58:53 10regarding -- I believe it's Item K, the RMDZ loan item.

10:58:57 11 CHAIRPERSON MEDINA: I have none to report.

10:59:00 12 There has been a recommendation that we move Item

10:59:03 1313 because of the issues involved in it for a full board

10:59:07 14discussion. So if there's no objection members, I'm

10:59:12 15moving this for discussion before the full board. That's

10:59:15 16Item 13. Has to do with the consideration of the grant

10:59:17 17award for the local government waste tire cleanup grant

10:59:21 18program for fiscal year 2002/2003.

10:59:28 19 DEPUTY DIRECTOR LEE: Thank you, Mr. Chairman.

10:59:29 20Move on to Board Item 14, Committee Item H, discussion and

10:59:32 21request for direction on consumer education tire survey

10:59:36 22and marketing research contract, tire recycling management

10:59:39 23fund, Fiscal Year 2001/2002.

10:59:41 24 Elena Yates will make the staff presentation.

10:59:44 25 MS. YATES: Good morning, Committee Chair and

10:59:47 1Board members. I'm Elena Yates from the Waste Tire
10:59:48 2Diversion Section of the Special Waste Division. This
10:59:50 3presentation is for Committee Item H, discussion and
10:59:53 4request for direction on the consumer education tire
10:59:56 5survey and market and research contract tire recycling
11:00:00 6management fund, Fiscal Year 01/02.

11:00:03 7 At its March 2001 meeting, the Board approved the
11:00:10 8five-year plan for the waste tire management program. The
11:00:10 95 year plan allocated 250,000 in Fiscal Year 01/02 to
11:00:15 10conduct a survey of consumer knowledge of tire maintenance
11:00:20 11and disposal and develop an informational brochure and
11:00:24 12\$350,000 in Fiscal Year 02/03 to develop and provide
11:00:28 13public service announcements based on the survey results.

11:00:32 14 The Board at its February 2002 meeting directed
11:00:36 15staff to revise the scope of work for the consumer
11:00:38 16education tire survey brochure and public service
11:00:41 17announcements contract to exclude the development of a
11:00:45 18brochure in this phase and to submit the revisions at its
11:00:48 19March 2002 Board meeting for award of contract.

11:00:51 20 The survey and market and research was focused on
11:00:55 21developing baseline of current public knowledge of tire
11:00:59 22maintenance, disposal, the purchasing of longer-lasting
11:01:01 23tires, and recycling waste content product available to
11:01:06 24consumers and businesses. The literature review, baseline
11:01:10 25survey, and market and research will provide the Board

11:01:12 1with the information necessary to determine the type of
11:01:14 2media outreach campaign that would be most effective.
11:01:21 3 Although the contractor has not completed Task C,
11:01:22 4conduct marketing research and analyze the results in its
11:01:29 5entirety, they have completed a summary of the finding of
11:01:30 6the focus groups and their preliminary data from the
11:01:34 7statewide phone survey.
11:01:36 8 I'd like to introduce the representative from
11:01:37 9Chico State, Dr. James Fletcher, who will present the
11:01:41 10preliminary finding on Task C of the survey. Thank you.
11:01:46 11 CHAIRPERSON MEDINA: Thank you, Ms. Yates for
11:01:47 12that presentation.
11:01:50 13 DR. FLETCHER: Good morning. I think we have a
11:01:53 14packet for each of you that contains the Power Point
11:01:57 15slides, the literature review, the executive summary from
11:02:00 16the focus groups and the telephone questionnaire in
11:02:04 17English that we are currently using for data collection.
11:02:09 18 (Thereupon an overhead presentation was
11:02:09 19 presented as follows.)
11:02:09 20 DR. FLETCHER: The objectives of the study that
11:02:12 21we're conducting consist of four items. One is to look at
11:02:17 22consumer knowledge concerning products derived from
11:02:21 23California waste tires. The second is to assess
11:02:24 24consumers' knowledge regarding proper tire maintenance and
11:02:27 25maintenance practices. Third was to look at various legal

11:02:32 1tire disposal options and consumer knowledge of those.

11:02:35 2And the fourth was consumer knowledge concerning factors

11:02:38 3that influence purchases for new tires.

11:02:09 4 --o0o-

11:02:09 5 DR. FLETCHER: The research consists of three

11:02:44 6parts. One is the literature review which you have a copy

11:02:47 7of in front of you, in-depth literature review. The

11:02:50 8second was a series of focus groups conducted the five

11:02:53 9languages. And the third was a telephone survey that is

11:02:56 10in the process now of being conducted in five languages.

11:02:09 11 --o0o-

11:02:09 12 DR. FLETCHER: The literature review objectives

11:03:01 13were to provide background knowledge to the research team

11:03:04 14regarding prior research. In other words, we didn't want

11:03:06 15to reinvent the wheel. We want to have a clear

11:03:10 16understanding of the research that's been done. We want

11:03:12 17to build on that research with our research.

11:03:14 18 Second was to identify topics and issues that

11:03:16 19were relevant to be included in the focus groups and the

11:03:19 20telephone survey to aid us in the development of the focus

11:03:22 21group topics and questions that we included as well as the

11:03:26 22telephone survey.

11:03:27 23 And last, to find information that would be

11:03:29 24useful in the communications efforts that will be the next

11:03:32 25phase of the project.

11:02:09 1 --o0o-

11:02:09 2 DR. FLETCHER: The literature review included
11:03:38 3extensive research using electronic databases and mobile
11:03:46 4search engines.

11:02:09 5 --o0o-

11:02:09 6 DR. FLETCHER: He did very in-depth research on
11:03:51 7specific websites including the Rubber Manufacturer's
11:03:53 8Association, CalEPA, Integrated Waste Management Board
11:03:58 9website, and Goodyear Rubber and Tire Company. In
11:04:01 10addition, he conducted direct communications, in-depth
11:04:05 11interview with 13 individuals, one of whom is Dan
11:04:10 12Zielinski, Vice President of the Rubber Manufacturer's
11:04:13 13Association, for just an example.

11:02:09 14 --o0o-

11:02:09 15 DR. FLETCHER: We had several key findings from
11:04:18 16literature review. One is that some information is
11:04:22 17available that addresses consumer knowledge of tire and
11:04:24 18maintenance and tire safety that's out there in the
11:04:28 19literature that's research that's been previously done.
11:04:30 20We found a few reports available that indicate that
11:04:34 21consumers know little about proper tire maintenance and
11:04:38 22care. A AAA report conducted in 1999 found that 48
11:04:42 23percent of the respondents to their survey incorrectly
11:04:44 24consulted tire side wall for recommended tire air pressure
11:04:49 25rather than the manual or the door on the car that posts

11:04:53 1the proper tire pressure.

11:04:55 2 In 2001 the National Highway Traffic Safety

11:04:59 3report found that 33 percent of passenger cars and light

11:05:04 4trucks have at least one significantly underinflated tire,

11:05:07 5and 9 percent have a bald tire. The Rubber Manufacturers

11:05:10 6Association study that was done in 2002 found that

11:05:13 7basically consumers are not doing a very good job of

11:05:16 8maintaining their tires.

11:02:09 9 --o0o-

11:02:09 10 DR. FLETCHER: There's very limited information

11:05:22 11available regarding studies out there. A 1992 study by

11:05:26 12the National Highway Traffic Safety Administration found

11:05:30 13that most tires were familiar with UTQGS and FMVSS

11:05:40 14information. A 1999 study by the tire review and 2002

11:05:42 15tire business studies found that in-store salespersons

11:05:46 16were a very important source of information for consumers.

11:05:49 17I'll talk a little bit later, but I'll mention right now

11:05:53 18our focus groups found this to be not necessarily true,

11:05:57 19and we're checking this with our survey right now. In

11:06:01 20fact, we found that salespersons were not very influential

11:06:04 21in tire purchase decisions. JD Power and Associates did a

11:06:09 22tire satisfaction study, found there are basically

11:06:12 23important characteristics is the consumer look for when

11:06:17 24purchasing tires. These include quality, long-term,

11:06:19 25performance, situational performance -- in other words,

11:06:21 1the types of driving they do, design, and winter traction.
11:02:09 2 --o0o-
11:02:09 3 DR. FLETCHER: There's no prior research we found
11:06:29 4regarding consumer attitude, perception, and knowledge
11:06:31 5about tire recycling and disposal. And marketing
11:06:34 6communication efforts have focused on tire safety and
11:06:37 7maintenance very recently primarily because of the
11:06:41 8Firestone publicity.
11:02:09 9 --o0o-
11:02:09 10 DR. FLETCHER: So basically the findings from the
11:06:46 11literature review that public efforts have been done to
11:06:48 12help consumers understand -- help us understand how
11:06:50 13consumers make tire decisions.
11:06:54 14 Second, there's limited information about
11:06:57 15consumer knowledge of tire safety and maintenance, and
11:06:59 16we're focusing heavily on that in our survey. Perhaps no
11:07:05 17studies have been conducted that investigate consumers'
11:07:08 18knowledge of tire recycling disposal practices. No prior
11:07:11 19research on differences based upon ethnicity which is one
11:07:16 20of the deficiencies we found in the literature review,
11:07:20 21that they're general population surveys and they've really
11:07:23 22not focused in on specific ethnic groups to find out if
11:07:26 23there's specific differences among ethnic groups and their
11:07:29 24purchase decisions, their knowledge of tire maintenance,
11:07:32 25et cetera.

11:07:32 1 And the last thing is the literature review
11:07:35 2clearly indicates a need for research to facilitate a
11:07:38 3systematic development of our focus group and our survey
11:07:41 4questions. It's extremely helpful to us.

11:02:09 5 --o0o-

11:02:09 6 DR. FLETCHER: We conducted five focus groups,
11:07:47 7three on February 5th and two on February 6th in five
11:07:51 8languages, English, Spanish, Mandarin, Vietnamese, and
11:07:53 9Tagalog. There were 59 participants in the focus groups;
11:07:59 1039 males and 20 females.

11:02:09 11 --o0o-

11:02:09 12 DR. FLETCHER: Some of the main topic areas
11:08:05 13covered were information about recent tire purchases. The
11:08:08 14reason we use recent tire purchases is because that's the
11:08:11 15information people are going to have the best recall.
11:08:14 16Tire purchasing criteria, knowledge and behaviors related
11:08:17 17to tire maintenance and safety. How often do they check
11:08:20 18their tires. How often do they rotate, balance their
11:08:23 19tires, have their front end on their car aligned.
11:08:25 20Knowledge of tire recycling and disposal, and lastly, any
11:08:29 21familiarity they had with tire recycling and disposal
11:08:32 22information campaigns.

11:02:09 23 --o0o-

11:02:09 24 DR. FLETCHER: As far as recent tire purchase
11:08:37 25information, they said that many of them were prompted by

11:08:40 1 concerns for wear and safety. Some were planned. They
11:08:44 2 went out. They did their research. They looked at how
11:08:47 3 many miles they had driven or how long they had their
11:08:51 4 tires and they actually did some prior purchase planning
11:08:54 5 and then went out and purchased their tires. Others said
11:08:58 6 that, as would be expected, many were unplanned purchases.
11:09:02 7 They noticed by chance they had unusual wear on maybe
11:09:06 8 caused by misalignment of the front end or by a tire being
11:09:11 9 out of balance. Others had a problem with a tire going
11:09:14 10 flat and inspecting the tire and feeling they need to be
11:09:16 11 replaced.

11:02:09 12 --o0o-

11:02:09 13 DR. FLETCHER: Some of the tire purchased
11:09:22 14 criteria that were considered by consumers is, number one,
11:09:26 15 price was a big consideration that was repeated over and
11:09:29 16 over again. Where they could get the best price. Others
11:09:32 17 also considered convenience of the dealer location. That
11:09:35 18 was not important in terms of the purchase but in terms of
11:09:39 19 maintenance, having the tires rotated, having the front
11:09:42 20 end aligned, et cetera. And another important criteria
11:09:46 21 particularly among ethnic minorities is recommendation of
11:09:47 22 friends and family. The credibility of a dealer -- not
11:09:51 23 coming from the dealer but coming from other people they
11:09:54 24 trust that would make a recommendation to them about who
11:09:57 25 to trust to buy their tires from.

11:02:09 9 --o0o-

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11:02:09 16                                --o0o--
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11:11:03 23 They also mentioned brand name, performance,
11:11:05 24 design, warranty including services with and after the
11:11:09 25 sale like free rotation and balancing, and last and very

11:11:14 1important was price. Everybody was talking about getting
11:11:18 2value for the dollar.

11:02:09 3 --o0o-

11:02:09 4 DR. FLETCHER: Some of the consumers said they
11:11:23 5were willing to pay higher price to get the tires they
11:11:25 6wanted. Others said that low price might be a reflection
11:11:29 7of poor quality and were sometimes hesitant to buy
11:11:33 8lower-priced tires even if they were on sale. Many
11:11:37 9acknowledge being on budgets. They tried to get the best
11:11:40 10value for the amount of money they had to spend for their
11:11:44 11tires.

11:02:09 12 --o0o-

11:02:09 13 DR. FLETCHER: Expectations regarding tire life.
11:11:47 14Warranty was important. People considered the warranty as
11:11:52 15being a reflection of potential tire life. Some people
11:11:57 16looked at it in terms of miles. Others looked at it in
11:12:00 17terms of year. That largely depended on the driving
11:12:02 18habits. If people didn't drive a lot of miles, the
11:12:05 19deterioration of the tire because of aging was more a
11:12:07 20consideration, whereas people that drove a lot of miles
11:12:10 21each year were more concerned about the miles they could
11:12:13 22expect to get from the tires.

11:12:15 23 Consumers acknowledged that tire life is clearly
11:12:17 24linked to driving habits, driving conditions, and tire
11:12:20 25maintenance. Their opinions were divided about the

11:12:24 1importance of high mileage and road hazard warranties.

11:12:28 2But it depended, again, on the types of driving that the

11:12:31 3particular consumers were doing.

11:12:34 4 In summary, consumers describe good value as

11:12:39 5getting the characteristics they wanted, the ones I just

11:12:41 6mentioned, together with a competitive or reasonable price

11:12:45 7or price they could afford.

11:02:09 8 --o0o-

11:02:09 9 DR. FLETCHER: The majority of consumers said

11:12:50 10they knew what the recommended tire pressures were on

11:12:53 11their tires. However, many of them thought that the tire

11:12:58 12pressure was on the side of the tire and was established

11:13:01 13by the manufacturer. Some did, in fact, know that they

11:13:03 14would consult the owners manual or the frame of the

11:13:07 15drivers door. But as was confirmed in the literature

11:13:11 16review, of course, by our focus groups, many of the

11:13:13 17consumers do not know. They look at the side of the tire,

11:13:17 18and they adjust their tire pressure based on that, rather

11:13:20 19than the manufacturer of the vehicle.

11:02:09 20 --o0o-

11:02:10 21 DR. FLETCHER: And summing that up, most

11:13:25 22consumers weren't sure about who establishes tire

11:13:28 23pressures. Most consumers report checking their tires but

11:13:32 24the frequency varied all the way from every day to every

11:13:36 25four months. So it's very, very wide range.

11:13:40 1 And consumers acknowledge tire rotation and wheel
11:13:44 2alignment as being important to the life of their tires,
11:13:48 3maintenance of their tires, but were not in agreement as
11:13:51 4to the frequency of how often that should be done.

11:02:09 5 --o0o-

11:02:09 6 DR. FLETCHER: Some said they did chart their
11:13:57 7tire maintenance. Others do not, as would be expected.
11:14:00 8And a few said they got reminders from their dealers where
11:14:04 9they purchased their tires. Their specific dealer did
11:14:08 10send out reminders, but that's not a common practice.

11:14:11 11 New car owners were a lot more likely to say they
11:14:13 12were going to their dealer to get their tire maintenance
11:14:16 13and rotation done rather than a tire dealer. However,
11:14:20 14people that were driving used cars more often would go to
11:14:24 15the tire dealer where they purchased the tires.

11:02:09 16 --o0o-

11:02:09 17 DR. FLETCHER: Information about tire
11:14:29 18maintenance, few were familiar with any kind of public
11:14:32 19information campaign regarding tires or tire maintenance
11:14:34 20brochures on tire maintenance. Approximately half thought
11:14:38 21it was necessary to read the owners manual regarding tire
11:14:41 22maintenance prior to an emergency.

11:02:09 23 --o0o-

11:02:09 24 DR. FLETCHER: As far as knowledge of
11:14:48 25tire recycling and disposal, the majority said that the

11:14:51 1dealers kept their old tires but they didn't know what the
11:14:54 2dealers did with the tires when they kept them. They did
11:14:58 3acknowledge they paid a fee to the dealer to dispose of
11:15:01 4the tires, but most of them could not remember how much
11:15:04 5that was.

11:15:04 6 In fact, I think in the Mandarin group there was
11:15:10 7an argument that ensued. One person said, "No, I said 25
11:15:12 8cents a tire," and the other guy said, "No, it's a dollar
11:15:14 9a tire." Well, they were both right. We didn't tell them
11:15:16 10that. But they were both right, of course, as we know the
11:15:17 11amount of changed.

11:02:09 12 --o0o-

11:02:09 13 DR. FLETCHER: They were relatively familiar with
11:15:21 14ways in which tires could be recycled, but they had very
11:15:25 15little knowledge related to retreaded tires. As a result
11:15:28 16of that, most of them said they did not trust the quality
11:15:31 17of retreaded tires and would not even consider purchasing
11:15:34 18them.

11:15:35 19 Only a few vaguely acknowledged that they thought
11:15:38 20they remembered something about the California Tire
11:15:39 21Recycling Act of 1989. But most people know little or
11:15:45 22nothing about that.

11:15:45 23 And only a few reported the possibility of having
11:15:48 24seeing a literature review on tire recycling or any kind
11:15:52 25of disposal campaigns that had been going on.

11:02:09 1 --o0o-

11:02:09 2 DR. FLETCHER: Those findings were then utilized

11:16:00 3by us to develop the survey -- the telephone survey that

11:16:03 4you have the text copy you have in the back of the

11:16:07 5handout. It is now being used to collect data in five

11:16:13 6different languages. And we actually pretested the

11:16:17 7English version, found it was too long. And we had to

11:16:20 8actually delete out some of the questions that were not

11:16:22 9central to the objectives. It would have been nice to

11:16:25 10have, but the thing was too long. People were complaining

11:16:28 11about the length. People were hanging up. We shortened

11:16:32 12that down. Pretested it again. It worked fine.

11:16:35 13Pretested it in the other four languages. They're in the

11:16:39 14middle now of collecting that data. We hope at the end of

11:16:40 15the month to have most of all of the data ready to analyze

11:16:43 16and hope to have that for you next month.

11:16:46 17 And with that, I'm open to any questions that you

11:16:48 18might have.

11:16:49 19 CHAIRPERSON MEDINA: Thank you for your

11:16:50 20presentation.

11:16:50 21 Board members, any questions on this?

11:16:54 22 Board Member Paparian.

11:16:55 23 COMMITTEE MEMBER PAPARIAN: The very last thing

11:16:56 24you said was you're going to have the information --

11:17:00 25 DR. FLETCHER: We're going to have the full

11:17:02 1report on the telephone survey.

11:17:04 2 COMMITTEE MEMBER PAPARIAN: My basic question is

11:17:05 3going to be -- you probably want to answer it next

11:17:08 4month -- what do you think we can do to reach people and

11:17:10 5get them to do some of the preferable practices with their

11:17:14 6tires and --

11:17:16 7 DR. FLETCHER: We're going to have the answers, I

11:17:17 8think, to that because the survey focuses very

11:17:20 9specifically on those -- how we can reach them what kind

11:17:24 10of information is credible, what kinds of things might be

11:17:28 11done to change some of their habits.

11:17:30 12 COMMITTEE MEMBER PAPARIAN: I look forward to

11:17:32 13hearing that.

11:17:33 14 CHAIRPERSON MEDINA: Board Member Jones.

11:17:35 15 COMMITTEE MEMBER JONES: Was there any linkage

11:17:37 16between tire maintenance and improved fuel economy?

11:17:41 17 DR. FLETCHER: That didn't even come up. That

11:17:43 18was one of the questions, and people sort of, you know,

11:17:48 19said, "Well, if I have my tires inflated properly it

11:17:51 20probably does effect fuel economy." But the real focus --

11:17:54 21and it may be because of all the publicity with the

11:17:57 22Firestone thing, people really focus a lot more on safety.

11:18:02 23That was the primary -- came up over and over and over

11:18:05 24again in the discussion. Fuel economy was not even really

11:18:09 25of concern to many people. It might be more so now

11:18:14 1because fuel prices went up after we did the focus groups.

11:18:17 2It's dependent what's the their issue attention cycle.

11:18:25 3 COMMITTEE MEMBER JONES: I'm worried about the

11:18:25 4amount of tires underinflated. It was like 48 percent or

11:18:29 5something like that.

11:18:31 6 DR. FLETCHER: I know that 9 percent are driving

11:18:33 7with bald tires.

11:18:34 8 COMMITTEE MEMBER JONES: I think it was 48

11:18:34 9percent are underinflated. Irregardless of what kind of

11:18:38 10tire they put on, they're just going to wear it out

11:18:41 11quicker. We've got to figure out how to get that message

11:18:44 12across.

11:18:45 13 DR. FLETCHER: We were recruiting for focus group

11:18:47 14participants and there was a woman we contacted who was

11:18:50 15Russian and had just been in the United States for

11:18:53 1630 days. And this gentleman who is an investigator called

11:18:57 17us to find out if they were legitimate, and began talking

11:18:59 18with him. He's an special investigator for the insurance

11:19:02 19companies. And he said the number one cause of roll over

11:19:05 20accidents is underinflated tires. So he just want -- we

11:19:08 21were calling back for the more in-depth interviews. I

11:19:12 22talked to him for probably an hour and very fascinating.

11:19:17 23And he also was knowledgeable about the statistics on

11:19:20 24underinflated tires being very high.

11:19:22 25 COMMITTEE MEMBER JONES: Just one more question,

11:19:24 1Mr. Chair.

11:19:24 2 Was this inter-agency agreement we led down in

11:19:28 3El Centro?

11:19:31 4 DR. FLETCHER: Yes, it is.

11:19:32 5 COMMITTEE MEMBER JONES: How long did it take you

11:19:33 6to fly out? Because it seems to me you were waiting for

11:19:37 7the winds to die down from about 70 miles an hour to get

11:19:39 8your plane back to Chico.

11:19:41 9 DR. FLETCHER: I went into the airport and all

11:19:43 10around the room were Marine Corp aviators. And I started

11:19:47 11laughing. They started laughing. And they were all there

11:19:50 12for -- until late at night, and I went out early the next

11:19:54 13morning.

11:19:55 14 COMMITTEE MEMBER JONES: Just wondering. Thank

11:19:56 15you.

11:19:56 16 DR. FLETCHER: Thank you very much.

11:19:58 17 CHAIRPERSON MEDINA: Just one question with

11:20:00 18regard to -- you said that in regard to the consumers that

11:20:04 19the dealers -- they're not so much influenced by the

11:20:09 20dealers in regard to the purchase of the tires. But they

11:20:13 21do take brand name into consideration.

11:20:16 22 DR. FLETCHER: They do take brand name into

11:20:18 23consideration. The main point there was the study that

11:20:22 24was done by the tire manufacturers showed that the dealers

11:20:25 25and their representatives had a lot of influence on

11:20:27 1purchase decision. In our phone focus groups we wanted to
11:20:31 2verify that. We found the tire salesperson has a lot less
11:20:36 3influence, at least qualitatively in doing this
11:20:39 4qualitative assessment -- have a lot less influence than
11:20:40 5the tire manufacturers are saying they have.

11:20:43 6 CHAIRPERSON MEDINA: But the millions that the
11:20:44 7tire manufacturers put into their marketing campaigns do
11:20:46 8have some influence on the buying decision?

11:20:49 9 DR. FLETCHER: Well, I think it's more the
11:20:50 10reputation of the brand. In other words, particularly
11:20:53 11among minority communities, they talk to their friends and
11:20:57 12relatives about what kinds of experience they have with a
11:20:59 13particular brand names. And if they've had a very good
11:21:02 14experience, they're a lot more prone to buy that brand
11:21:05 15than they would buy another brand. So I think it's
11:21:08 16more -- yes, they have ads on TV and they have ads in
11:21:11 17magazines. But I think that the experience that confirms
11:21:14 18or denies that information is what's most important and
11:21:17 19the conveyance of that information by friends and
11:21:20 20relatives that has the greatest influence on tire purchase
11:21:24 21decisions.

11:21:24 22 Because particularly in the Mandarin community,
11:21:27 23the Vietnamese community, and I think the Tagalog and even
11:21:31 24the Hispanic community, they were saying that we talked to
11:21:35 25our friends and relatives about the experiences they've

11:21:37 1had with their tires and the dealers they're buying their
11:21:41 2tires from. And we're a lot more prone to go to those
11:21:43 3dealers and buy the tires than somebody we don't know
11:21:47 4anything about.

11:21:50 5 CHAIRPERSON MEDINA: Any other questions or
11:21:52 6comments, Board members? If not, that will conclude this
11:21:56 7item. Thank you.

11:21:57 8 DR. FLETCHER: Thank you very much.

11:21:58 9 DEPUTY DIRECTOR LEE: Thank you, Mr. Chairman.

11:22:01 10 Last but certainly not least on the Special Waste
11:22:03 11Division agenda for morning is Board Item 15, Committee
11:22:07 12Item I, consideration of concepts funded from the
11:22:10 13reallocation of unused Fiscal Year 2002/2003 waste tire
11:22:13 14recycling management program funds.

11:22:16 15 Martha Gildart will make the staff presentation.

11:22:29 16 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:

11:22:29 17 Good morning, Members. Item 15 deals with our
11:22:29 18annual reallocation of end-use funds in the tire program.

11:22:29 19 I do want to point out this is the second year of
11:22:32 20a very ambitious program laid out by the Board's five-year
11:22:36 21plan for the management of waste tires and that the
11:22:38 22activities that were carried out in the last year are
11:22:42 23layered on the first year's activities and have required
11:22:45 24great efforts on the part of staff to bring this many to
11:22:48 25fruition.

11:22:49 1 If you want a very brief summary of the moneys
11:22:52 2remaining, Table 1 on page 15-1 lays out the moneys
11:23:00 3available in each of the five program elements in the
11:23:03 4five-year plan. So you can see how those were carried
11:23:06 5out.

11:23:07 6 In total there is over \$3 million available for
11:23:10 7reallocation. However, there is \$1,836,000 that must be,
11:23:19 8if you will, skimmed -- I'm sorry. I've got the tables
11:23:25 9wrong. That amount is already removed from the total.

11:23:29 10 That is sort of a difficult thing to explain.
11:23:32 11When the Board adopted the five-year plan two years ago,
11:23:36 12the funds totaled in that year exceeded the amount
11:23:43 13actually approved in the state budget as approved last
11:23:44 14December. So we had to start out from the beginning to
11:23:49 15save that amount of money. We had to make sure we did not
11:23:53 16exceed the budget expenditure authority. So --

11:23:56 17 CHAIRPERSON MEDINA: We'll strike the word
11:23:58 18skimmed from the record.

11:24:01 19 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
11:24:01 20 Yes. I won't say skimmed. It's a fortunate
11:24:06 21thing, actually, that we were able to account for those
11:24:09 22dollars. Otherwise, we might have been hurting. So out
11:24:13 23of the 5.2 million, that 1.8 million has to be removed
11:24:18 24first, and that leaves the 3.4 million.

11:24:20 25 If you want more details on where all those funds

11:24:24 1came from, Table 2 lists each of the projects in each
11:24:28 2those five program elements and how they were carried out,
11:24:31 3what funds were actually encumbered versus allocated and
11:24:34 4the balance remaining.

11:24:36 5 So on page 15-3, Table 2, if you want we can go
11:24:42 6down through those different projects and I can explain
11:24:46 7briefly here and there where the moneys accrued. In some
11:24:49 8instances a grant program was allocated more money than we
11:24:52 9actually award. For instance, a local government waste
11:24:54 10tire enforcement grant which was an increased funding over
11:24:57 11the first year's 2 million at 4 million this year and 3.7
11:25:02 12million has been approved by the Board. That leaves the
11:25:06 13279,527. That holds true for a couple of other grant
11:25:11 14programs. I won't go into detail there.

11:25:13 15 I will talk briefly under the cleanup, abatement,
11:25:19 16and remedial action element, the long-term remediation
11:25:21 17project shows a balance of \$2 million, and that was
11:25:22 18because the Westley fire site clean up occurred ahead of
11:25:27 19schedule and under budget. So we were able to remove the
11:25:30 20\$2 million that had been earmarked for continued work
11:25:34 21there and make it available for this reallocation.

11:25:39 22 CHAIRPERSON MEDINA: So in regard to the one you
11:25:41 23used as an example, under enforcement, local government
11:25:46 24waste tire enforcement grant, the 279,527, you have made a
11:25:50 25recommendation as to how that should be reallocated.

11:25:56 1 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
11:25:56 2 What we've done, all the excess money from all
11:25:58 3these different little projects we're proposing to put
11:26:01 4into one pot. That's what totals the 3.4 million. And
11:26:05 5then we have separately a listing of possible uses for
11:26:08 6that 3.4 million, and that is Table 3. And so we don't
11:26:13 7particularly have the dollars follow, you know, out of one
11:26:17 8project into another. They go into this pot, and then we
11:26:20 9pull out of there. Okay.
11:26:23 10 Let me point out under the clean up and abatement
11:26:26 11element, the RAC, the rubberized, asphalt, concrete
11:26:30 12technology center evaluation contract was awarded this
11:26:34 13year, and we had earmarked \$47,000 from this reallocation
11:26:40 14effort. So that is shown the parentheses as already being
11:26:45 15committed. So it's sort of like a negative number so just
11:26:49 16so you understand how the column on the right works.
11:26:52 17 The next thing we need to add, because of the
11:26:55 18action the Committee is recommending today, under the
11:26:57 19research and promoting alternatives to landfill disposal
11:27:01 20element, the up-dated report on pyrolysis, gasification,
11:27:05 21and liquefaction. That one came in under the 150,00 by
11:27:08 2214,900. So we add to the balance of 50,000, totaling
11:27:14 2364,900 at that line item.
11:27:22 24 I'm trying to think if there's anything else.
11:27:24 25 A couple of the projects we did not have

11:27:27 1sufficient staff resources to assign. The recycled
11:27:30 2rubberized asphalt concrete is one that did not get
11:27:34 3undertaken. However, we are working with CalTrans and
11:27:38 4there are funds being proposed in the revised five-year
11:27:41 5plan that would include studies of the recycling of
11:27:44 6rubberized asphalt. We feel we'll be able to take on that
11:27:47 7issue.

11:27:48 8 The public service announcement, that \$350,000
11:27:52 9balance that was due to some of the delays in carrying out
11:27:56 10the contract on the market survey. You just heard the
11:28:00 11results or preliminary results today. Final results will
11:28:03 12be presented, we hope, at the June 10th Committee meeting.
11:28:06 13And from that, we will be able to design a public outreach
11:28:09 14campaign, but it will be have to be carried out in the
11:28:14 15next fiscal year. So that \$350,000 is available.

11:28:18 16 The civil engineering uses, this is the same
11:28:21 17situation that we were in last year. The five-year plan
11:28:24 18had originally allocated money in both the research
11:28:27 19element and in the market development element. And we
11:28:31 20have been able to get interest and support for research
11:28:33 21projects to demonstrate the use, but we have not yet
11:28:36 22gotten widespread support on the market development side.
11:28:40 23People are just a little more cautious in getting into
11:28:44 24these.

11:28:44 25 What we are proposing in the revised five-year

11:28:47 1plan is to slowly decrease the research effort and try to
11:28:53 2build the market development effort so it becomes more of
11:28:53 3a grant program, like the playground grant or RAC grant.
11:29:00 4That's one of the possibilities for the future. But at
11:29:00 5this time the \$1 million that had been allocated for the
11:29:03 6market development side was not expended and is available.

11:29:07 7 As was the signs for the CalTrans project, there
11:29:11 8was \$30,000 there. We have not been able to work through
11:29:15 9the CalTrans procedures for approving sign design. We are
11:29:21 10hoping, once again, in the next year effort to work more
11:29:25 11with them on that issue.

11:29:28 12 So the total amount of money that the Board has
11:29:32 13is -- I've got to add that 14,000 in. It should be
11:29:42 143,438,925,000.

11:29:49 15 CHAIRPERSON MEDINA: Can you repeat that again,
11:29:51 16please.

11:29:53 17 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:

11:29:53 18 3,438,925. Now if you will notice --

11:30:02 19 CHAIRPERSON MEDINA: That would be the bottom
11:30:03 20line on Table 3?

11:30:05 21 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:

11:30:05 22 Yes. The new total -- Table 2. Table 2 at the
11:30:10 23very top of page 15-4. So the new total is \$3,438,925.

11:30:25 24 We do have an interactive table that shows the listing
11:30:28 25in Table 3 which is the proposed uses for the remaining

11:30:32 1funds.

11:30:35 2 And if you'll note the total at this point is

11:30:40 3only 2,855,545,000. Obviously we've got somewhere around

11:30:48 4\$500,000 remaining.

11:30:50 5 Just to go down through the projects listed

11:30:51 6there. The first one is the product commercialization

11:30:55 7grants. These are the grants that were approved in

11:30:57 8December. The Board-approved funding. The \$2 million

11:31:01 9allocated but there was additional passing grants for

11:31:06 10which there were no funds available. So we are bringing

11:31:08 11forward here, and the list is included as an attachment.

11:31:14 12And we have prepared a handout describing those projects

11:31:17 13that staff can make available.

11:31:19 14 The next listing is the track and other

11:31:22 15recreational surface grants that was originally allocated

11:31:25 16\$1 million, and there were more passing grant applicants

11:31:29 17than there were funds available. So to make whole those

11:31:32 18additional grants another \$948,000 was required.

11:31:37 19 The LEA training project is one operated by the

11:31:42 20Permitting and Enforcement Division. This is a

11:31:49 21certification program. It did not receive funding with

11:31:53 22the Integrated Waste Management account funds. However,

11:31:56 23the Board had requested back in the September discussion

11:32:00 24that we consider the use of tire funds.

11:32:04 25 If Board members have questions, there is staff

11:32:07 1available from the program to discuss the details of the
11:32:11 2LEA operator certification program.

11:32:18 3 The next item there is the evaluation of recycled
11:32:21 4waste tires and playground and track products. This is a
11:32:25 5proposal we have received from OEHHA. They have presented
11:32:31 6a scope how they would evaluate the risks posed by the use
11:32:37 7of the tire rubber and weigh that against the safety
11:32:37 8improvements from the impact attenuation of the mats.
11:32:43 9They proposed that at \$300,000.

11:32:45 10 There is a follow-up study proposed for the
11:32:47 11University -- California State University at Chico to look
11:32:52 12at the LEVE project that this Board funded and had place
11:32:57 13about four years ago. That project has been working well.
11:33:01 14What we want is to have them gather their monitoring data
11:33:04 15and do an analysis of its performance and the overall
11:33:09 16cost.

11:33:10 17 The next item is to provide additional funds to
11:33:17 18the CalMAX waste reduction award program. The five-year
11:33:19 19plan allocated 200,000 for it. The Waste Prevention and
11:33:23 20Market Development Division is requesting an additional
11:33:26 2113,000. The buy recycled conference which I understand is
11:33:31 22now referred mostly as the buy recycled trade show, Waste
11:33:35 23Prevention and Market Development Division is asking for
11:33:37 24additional funding also for that project.

11:33:38 25 Surveillance equipment program, this is one that

11:33:42 1has been proposed by Board members, and staff has
11:33:47 2investigated entering into an arrangement similar to the
11:33:50 3Air Resources Board where they're able to provide
11:33:54 4equipment that can help with surveillance and tracking of
11:33:59 5waste tire disposal. That's \$100,000.

11:34:03 6 The motion picture industry proposal came about
11:34:09 7after the Board approved funding in April for contract
11:34:15 8concept Number 30 at the amount of \$150,000 coming from
11:34:20 9IWMA end-used oil. However, at that time they also
11:34:24 10requested that the Special Waste Division consider
11:34:27 11reallocating tire funds to this contract. So that is
11:34:30 12shown there.

11:34:31 13 And then lastly, we are proposing an additional
11:34:36 14\$119,000 to Augment the student contract. This is really
11:34:39 15of vital importance. As Board Member Jones mentioned
11:34:43 16earlier, the work that has been done on the manifest
11:34:48 17program has been tremendous. There is going to be a huge
11:34:53 18workload in getting this thick out and receiving the
11:34:55 19manifests back in, processing them adequately. While we
11:34:58 20do hope to get to an electronic version for as many of the
11:35:02 21haulers as possible, the first couple years are going to
11:35:05 22be largely paperwork. And a couple of these students
11:35:10 23would be directed to that program and some support to
11:35:12 24other elements of the tire program.

11:35:13 25 So at this point we are available to answer any

11:35:15 1detailed questions and, you know, discuss how some of
11:35:21 2these could be carried out.

11:35:23 3 If you notice, putting moneys into an existing
11:35:26 4program such as the grants should be a very simple effort
11:35:30 5under the state's budgetary time line for the fiscal year.
11:35:33 6Fiscal year ends June 30th. So by putting moneys into the
11:35:38 7grant program, we can accomplish that well within that
11:35:40 8time frame. However, a couple of these will require
11:35:44 9entering into new inter-agency agreements. There are a
11:35:49 10couple here that we are trying to bring the scope of work
11:35:52 11to the Board in June, which -- you know, for the approval.
11:35:55 12If the board allocates money to, for instance, OEHHA or to
11:36:01 13the Chico projects, we will be prepared with scopes of
11:36:04 14work in June for those awards.

11:36:07 15 If any additional contract-type projects are
11:36:11 16proposed by the Board, we may need to seek delegation of
11:36:18 17authority to the Executive Director to enter into those
11:36:21 18agreements as quickly as possible to meet the June 30th
11:36:25 19time line on the state budget year.

11:36:28 20 So at this point any questions?

11:36:32 21 CHAIRPERSON MEDINA: I'm sure there will be
11:36:34 22questions. We also have six speakers on this subject so
11:36:37 23we're going to be calling them up shortly.

11:36:41 24 Board members, do you have any matters you wish
11:36:46 25to bring up on this?

11:36:48 1 Board Member Paparian.

11:36:49 2 COMMITTEE MEMBER PAPARIAN: If it's all right, I

11:36:50 3do have one specific question on one of the items.

11:36:53 4 I brought this up to the legal staff yesterday,

11:36:55 5and the question is on the product commercialization

11:36:59 6grants, there is one grantee who has already received a

11:37:02 7\$250,000 grant who had a second proposal for \$250,000

11:37:09 8which also scored well and is in the second round. So I

11:37:13 9know that in the information we put out about the grants

11:37:15 10we said that we would disallow projects over \$250,000.

11:37:22 11I'm not quite sure what might have implied about who

11:37:26 12separates projects.

11:37:26 13 I don't know if legal staff is ready to respond

11:37:29 14to that. I just want to clarify. Is it an okay thing

11:37:33 15legally to give two projects under this one item to the

11:37:41 16same entity, or is there an issue?

11:37:45 17 MS. BRECKON: I spoke with the program this

11:37:46 18morning about the projects. In particular, there's one

11:37:50 19entity -- NOFA was written in such a way as to -- as to

11:37:57 20think that one applicant, one business can apply for two

11:38:01 21projects. If you look at the line that says "eligible

11:38:04 22projects, projects that are linked to or part of other

11:38:07 23proposed projects under this grant program" shows that

11:38:10 24staff was thinking about having potentially two projects.

11:38:15 25As long as they're separate projects and not linked

11:38:19 1together, that would be okay to fund.

11:38:20 2 Martha had a something that she wanted to say

11:38:26 3about this as well.

11:38:28 4 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART: I

11:38:28 5just wanted to point out that we have in past years also

11:38:31 6funded applications that came from the same business

11:38:35 7entity for two separate activities, two separate projects

11:38:40 8as long as they're not dependant upon one another. And if

11:38:44 9you'd like more detail on the specifics of these projects,

11:38:48 10we'd be happy to provide that.

11:38:50 11 COMMITTEE MEMBER PAPARIAN: No. My question was

11:38:50 12basically whether we have a legal problem. And if we

11:38:54 13don't have a legal problem on this one, I'm satisfied. I

11:38:58 14would like to flag it the next time we come up so the

11:39:01 15Committee can discuss whether they want to continue that

11:39:05 16practice or not. But in terms of this one, if it's legal

11:39:07 17to do it this way, that's fine with me.

11:39:10 18 CHAIRPERSON MEDINA: Before we proceed let me

11:39:12 19just ask in regard to Table 3, these are the

11:39:15 20recommendations that staff is making in regard to the

11:39:18 21reallocation. Are there any corrections, any changes to

11:39:25 22Table 3.

11:39:26 23 DEPUTY DIRECTOR LEE: Not at this point,

11:39:27 24Mr. Chairman. As I mentioned in my opening remarks,

11:39:30 25though, we have received -- I believe the Board -- the

11:39:33 1Committee has also received a memorandum from the Board
11:39:36 2Chair which basically lists some additional projects for
11:39:39 3reconsideration as part of the reallocation.
11:39:41 4 Staff hasn't had a chance to really review these
11:39:44 5in-depth. We think the concepts have significant merit,
11:39:50 6but we prefer to have a couple extra days to kind of look
11:39:55 7at these and perhaps resolve the issue at the Board
11:39:57 8meeting.
11:39:59 9 Staff would like to receive any comments that the
11:40:02 10Committee members might have, and that would help us with
11:40:05 11our work in trying to decide how we're going to be working
11:40:13 12with these particular concepts.
11:40:15 13 CHAIRPERSON MEDINA: Okay. Let me get some
11:40:18 14feedback in regard to that.
11:40:19 15 Board Member Jones.
11:40:20 16 COMMITTEE MEMBER JONES: Thank you, Mr. Chairman.
11:40:22 17 I have just a couple of questions. The OEHHA, we
11:40:28 18couldn't fund -- OEHHA came to us with two proposals. One
11:40:32 19to do the track. And one to do the fuel as a supplement
11:40:37 20back when we were doing the -- one of the workshops for
11:40:41 21the five-year plan. I just don't remember what the
11:40:44 22supplement part of that was. We adopted the running track
11:40:50 23one, you know -- or the mold and rubber product one,
11:40:56 24wasn't that went to OEHHA for 3-?
11:41:00 25 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:

11:41:00 1 If I remember --

11:41:02 2 COMMITTEE MEMBER JONES: Or was that Emergency

11:41:03 3Response?

11:41:05 4 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:

11:41:05 5 Yeah. There was emergency response for the

11:41:07 6responders to fires.

11:41:11 7 COMMITTEE MEMBER JONES: We did that one. What

11:41:12 8was the other one?

11:41:14 9 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:

11:41:14 10 And then down the road there was -- there's been

11:41:16 11three. It's been a combination of meetings between the

11:41:20 12Board staff and OEHHA. There are actually three projects

11:41:24 13that could be eventually done by OEHHA. We felt this

11:41:27 14playground track -- one could be done first as the Board

11:41:31 15has put so much time and effort into promoting the tracks.

11:41:34 16The tire response was one that came out of their report

11:41:38 17that was required by the Legislature on the effects of

11:41:41 18fire. There is down the road in the five-year plan

11:41:44 19funding for water quality effects of civil engineering

11:41:50 20tires chips.

11:41:50 21 COMMITTEE MEMBER JONES: Okay.

11:41:52 22 CHAIRPERSON MEDINA: So in regard to the

11:41:52 23evaluation -- in regard to the 300,000 that's indicated in

11:41:58 24Table 3 for OEHHA, 100,000 would be taken out of that

11:42:05 25and --

11:42:09 1 DEPUTY DIRECTOR LEE: That is the current
11:42:10 2proposal by the Board Chair. Like I said, staff would
11:42:14 3like to kind of look at that situation. We have some
11:42:17 4qualms about OEHHA's ability to implement the entire scope
11:42:23 5of that fuel supplement study. But otherwise, that's our
11:42:29 6major concern.

11:42:33 7 CHAIRPERSON MEDINA: So the 100,000 that would be
11:42:35 8taken out of that would be used for what?

11:42:38 9 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:

11:42:38 10 As we understood it, back during discussions of
11:42:41 11five-year plan staff had proposed to do a contract to
11:42:48 12update the 1992 Board report, tire as a fuel supplement.
11:42:49 13That was a requirement of the original Assembly Bill 1843
11:42:54 14language that created the Tire Recycling Act. And that
11:42:56 15was a report done by Board staff, and it was a very
11:42:59 16highly-regarded report because not only did it look at the
11:43:02 17use of tires as a fuel, it looked at other methods of
11:43:06 18diverting tires from landfill disposal, did a comparison
11:43:10 19on some of the costs and viability. It included emissions
11:43:14 20data from various facilities, risk assessments.

11:43:17 21 As I understand it, the proposal now from the
11:43:20 22Chair's office is that OEHHA could be involved in that.
11:43:23 23We need to consult with OEHHA to see what aspects of that
11:43:28 24report they feel they could handle and whether they would
11:43:30 25have to then subcontract or in some other way perform the

11:43:35 1 other portions of that report.

11:43:37 2 CHAIRPERSON MEDINA: Okay. Well, all of these
11:43:38 3 items will go to them for vote by the full Board anyway as
11:43:44 4 fiscal consent. So at this point why don't we take it up
11:43:52 5 before the full Board since it's going to go up to the
11:43:55 6 full Board for fiscal consent. That gives you time to
11:44:00 7 work in the Chair recommendations which I haven't had a
11:44:03 8 chance to review and apply to what's in Table 3. We do
11:44:10 9 have six speakers.

11:44:13 10 Board Member Washington.

11:44:15 11 COMMITTEE MEMBER WASHINGTON: Martha, in terms of
11:44:16 12 the track and other recreational surface grants in the
11:44:21 13 application that are before us from the San Mateo High
11:44:25 14 School --

11:44:28 15 SECRETARY HARRIS: I don't think she's seen them.

11:44:31 16 COMMITTEE MEMBER WASHINGTON: Oh, these are
11:44:32 17 something new then you haven't seen.

11:44:34 18 DEPUTY DIRECTOR LEE: We were aware -- we
11:44:35 19 received some -- we had some telephone conversations with
11:44:38 20 that particular grant applicant.

11:44:40 21 COMMITTEE MEMBER WASHINGTON: What about the City
11:44:41 22 of Oakland? And the city -- and the Ceres Unified School
11:44:48 23 District?

11:44:49 24 SUPERVISING WASTE MANAGEMENT ENGINEER Gildart: I
11:44:50 25 haven't seen any additional material above and beyond what

11:44:53 1 was submitted in the original grant application that was
11:44:55 2 reviewed and approved by, you know, staff. If they've
11:45:03 3 sent us additional information, I have not seen it.
11:45:05 4 CHAIRPERSON MEDINA: Okay. In light of the
11:45:05 5 additional materials and the memo from the Chair, I'll
11:45:11 6 move this item to the full Board so that we can have a
11:45:15 7 more complete discussion.
11:45:16 8 What I would like to do because there are
11:45:18 9 speakers here, and I do hope to adjourn by 12:00. And so
11:45:22 10 I would like at this moment to call the speakers up
11:45:27 11 beginning with Jim Ryugo. If you would come them and keep
11:45:32 12 your remarks brief. I'll set the timer for three minutes
11:45:37 13 only because there is no two-minute on the timer.
11:45:40 14 (Laughter)
11:45:42 15 MR. RYUGO: Good morning. My name is Jim Ryugo
11:45:43 16 with the City of Oakland, Office of Parks and Recreation.
11:45:46 17 We submitted a grant application for
11:45:48 18 consideration for a San Antonio Park. I just want to
11:45:51 19 highlight the importance of this grant application for us.
11:45:54 20 San Antonio neighborhood is one of the highest
11:45:56 21 density populated areas in the City of Oakland. We have a
11:46:01 22 planning goal of four acres of open space per 1,000
11:46:06 23 residents. In the San Antonio district there's .78 acres
11:46:10 24 of open space, and that translates that less than 34
11:46:14 25 square feet per person. When you think about it, a sheet

11:46:16 1 of plywood is 32 square feet so we're definitely deficient
11:46:20 2 in open space in this area.
11:46:21 3 The population's young and rapidly expanding.
11:46:25 4 37 percent of the population is under age 18; 47 percent
11:46:32 5 unemployed; 44 percent of the children live below the
11:46:37 6 poverty line. The medium income in the neighborhood is
11:46:40 7 \$28,432. There is clearly a need for economic development
11:46:46 8 in the area. But the park is one of the key places where
11:46:49 9 people can recreate, relax, enjoy.
11:46:55 10 If you look in your packet, there is a number of
11:46:58 11 letters of endorsements. If you turn to the last page
11:47:01 12 there is a photograph that shows what the field looks
11:47:05 13 like. In the wintertime it's a muddy problem for us. In
11:47:08 14 the summertime it's a real dusty unplayable situation.
11:47:14 15 But the kids don't have any alternatives, so that's where
11:47:17 16 they play soccer.
11:47:19 17 Our vision for the field is converted into a
11:47:21 18 small multi-purpose field approximately 120 feet by 250
11:47:27 19 feet using the recycled ground rubber as a surfacing.
11:47:31 20 CHAIRPERSON MEDINA: You're here in support of
11:47:33 21 funding for this project?
11:47:35 22 MR. RYUGO: That's correct.
11:47:35 23 CHAIRPERSON MEDINA: Thank you. We have the
11:47:36 24 materials. We'll give them full consideration.
11:47:39 25 COMMITTEE MEMBER WASHINGTON: Mr. Chair, I'd like

11:47:40 1to add I think it's a great opportunity to put some
11:47:44 2resources. I've been in that area several times, and that
11:47:48 3certainly is a park that is in dier need of support. And
11:47:51 4this is a good opportunity for this Board to help out the
11:47:55 5City of Oakland in that area.

11:47:58 6 MR. RYUGO: I appreciate your consideration.

11:48:00 7 CHAIRPERSON MEDINA: I am very familiar with the
11:48:01 8park.

11:48:02 9 Board Member Jones.

11:48:04 10 COMMITTEE MEMBER JONES: Quick question. Did you
11:48:05 11apply for a grant?

11:48:06 12 MR. RYUGO: We're on the B list instead of the A
11:48:09 13list.

11:48:09 14 COMMITTEE MEMBER JONES: You're on the B list.

11:48:10 15And the other ones that are coming up, if you could tell
11:48:10 16us if you're on the B list or not, it makes a difference.

11:48:14 17 COMMITTEE MEMBER WASHINGTON: Or no list.

11:48:17 18 COMMITTEE MEMBER JONES: Yeah. Anybody that's on
11:48:18 19no list ain't going to be on my list.

11:48:24 20 (Laughter)

11:48:25 21 CHAIRPERSON MEDINA: The next speaker is Patrick
11:48:27 22Winters, followed by Steven Cryger and Mark Greenough.

11:48:32 23 So if you're here speaking in support of your
11:48:35 24project, please let us know that you strongly support this
11:48:38 25project. It has merits. And if you have materials in to

11:48:41 1us, we'll review those materials. And if not, get those
11:48:45 2materials in to us. Thank you.

11:48:49 3 MR. WINTERS: Still good morning. We're on the A
11:48:52 4list for that. We are Hunter Paine, and we're here to
11:48:57 5tell you a little bit about our company. We have three
11:48:59 6minutes to do that. We're a G4 in our mind, which is we
11:49:03 7are a green to the fourth power to do that. Three of our
11:49:07 8core products -- if you'll look to the back, you can see
11:49:10 9some pallets back here. We make a pallet composite wood
11:49:14 10material. Since we use -- we are actually here to
11:49:20 11preserve the forest as we move along. And our product
11:49:25 12shelf life -- at the end of the shelf life, we're able to
11:49:29 13take our product and regrind it back into the system.
11:49:31 14We're fully reusing the products as we move along.

11:49:34 15 We're a clean business in which we have no VOC's.
11:49:38 16All the operations that we're proposing here to put our
11:49:41 17business in the state of California -- this is from
11:49:44 18actually producing lexsite which is composite material to
11:49:48 19the finished product are all intertwined. We can do this.
11:49:51 20It's an industry we can put together that fully integrates
11:49:56 21all the way through. We're sanitary, which is something
11:50:00 22that should be of interest. And I thank you for
11:50:05 23listening. Hunter Paine.

11:50:05 24 CHAIRPERSON MEDINA: Next speaker.

11:50:08 25 MR. CRYGER: Good morning. Thank you for giving

11:50:10 1us the opportunity to talk to you today a little bit about
11:50:13 2the San Mateo High School Centennial Stadium project, in
11:50:14 3particular our track. My name is Steven Cryger. I'm the
11:50:17 4athletic director and mathematic teacher at San Mateo
11:50:21 5High. With me is Mark Greenough who is an alumni of the
11:50:23 6school, businessman in our community, as well as the head
11:50:26 7track and field coach, and a member of our fund-raising
11:50:29 8committee.

11:50:30 9 We currently have undertaken redesigning our
11:50:33 10whole stadium. The stadium itself is 60 years old. We've
11:50:36 11had to replace all the wood in the bleachers in the last
11:50:40 12two years because it's all rotted. The field is very
11:50:43 13hard, doesn't drain well. And the track in particular is
11:50:45 14all dirt and granite, has potholes is very uneven. The
11:50:50 15curbing in at least 30 sections has broken apart and has
11:50:53 16exposed rebar. We've sustained a number of injuries over
11:50:57 17the years due to the poor condition of our track.

11:51:01 18 We are currently in the process of a joint use
11:51:04 19project with both the City of San Mateo and the school
11:51:07 20district to redo that whole stadium. At San Mateo High
11:51:11 21School we are a community school. We've already opened a
11:51:14 22community gymnasium. We have a performing arts center, a
11:51:19 23adult center on our campus. So the community is using our
11:51:22 24facilities on a regular basis. We feel it's our
11:51:25 25responsibility to provide a safe environment not only for

11:51:27 1 our students but for the community as well.

11:51:30 2 We have already submitted a grant proposal. It

11:51:34 3 will receive a passing score so we are on that B list. We

11:51:36 4 did prepare a Power Point presentation. You have the

11:51:40 5 package the front of you which details the complete

11:51:43 6 project, letters of support from Commissioners of the

11:51:47 7 Central Coast Section, Peninsula Athletic League, the head

11:51:51 8 of the Department and Regs, our superintendent, also

11:51:55 9 detailing the condition of the track by the head of our

11:52:00 10 Department of Maintenance.

11:52:01 11 So we urge you to support our project. Certainly

11:52:05 12 we have a lot of the funding in place, but this would be a

11:52:08 13 key component to be able to complete that project. Thank

11:52:13 14 you very much.

11:52:14 15 CHAIRPERSON MEDINA: Okay. Thank you for your

11:52:16 16 presentation.

11:52:16 17 COMMITTEE MEMBER WASHINGTON: Mr. Chair, can I

11:52:19 18 chime in real quickly and say that San Mateo High School

11:52:20 19 is another high school I had an opportunity to go visit

11:52:25 20 and speak at with the former assemblyman who took me down

11:52:26 21 there to see some of the young people there. And again,

11:52:30 22 he's absolutely correct that there needs to be some --

11:52:33 23 this is another situation that I think certainly is well

11:52:37 24 deserving of resources, that we can make it possible for

11:52:39 25 them.

11:52:40 1 MR. CRYGER: Thank you.

11:52:42 2 CHAIRPERSON MEDINA: Laura Wright, city of
11:52:45 3Pittsburg, followed by Arthur Roth.

11:52:55 4 MS. WRIGHT: Good morning, Chairman Medina and
11:52:57 5Board members.

11:52:58 6 I'm here on behalf of the city of Pittsburgh. My
11:53:02 7name is Laura Wright, and I oversee the city's
11:53:03 8environmental affairs division. The city of Pittsburgh is
11:53:06 9part of the RMDZ zone. We've just gone through our
11:53:09 10recertification process.

11:53:11 11 I've had an opportunity to see many projects come
11:53:15 12forward to the city with regards to RMDZ or projects that
11:53:19 13involve recycled products. And I have to say I'd like to
11:53:24 14urge your support for Hunter Paine who is looking to
11:53:27 15locate in our city. Our city is an industrial city. We
11:53:31 16need more companies that have viable, incredible products
11:53:35 17that not only use recycled products, but can take that
11:53:40 18item and recycle it back into a product, which is highly
11:53:42 19unusual.

11:53:42 20 As you can see from the products here, they're
11:53:45 21going to be changing how we look at recycled products and
11:53:48 22new products.

11:53:49 23 Thank you.

11:53:49 24 CHAIRPERSON MEDINA: Thank you.

11:53:51 25 COMMITTEE MEMBER JONES: Mr. Chair.

11:53:53 1 CHAIRPERSON MEDINA: Board Member Jones.

11:53:55 2 COMMITTEE MEMBER JONES: I just want to thank our

11:53:56 3last speaker for all of her work trying to promote markets

11:53:57 4and trying to get things done in that part of the Bay

11:54:04 5Area.

11:54:04 6 You've done a good job and keep banging.

11:54:04 7 MS. WRIGHT: Thank you.

11:54:05 8 COMMITTEE MEMBER WASHINGTON: Is the Mayor Yvonne

11:54:10 9Beals?

11:54:10 10 MS. WRIGHT: Yes, it is.

11:54:11 11 COMMITTEE MEMBER WASHINGTON: Yvonne Beals was a

11:54:13 12staffer for Don Perata. When she told me she was going to

11:54:16 13run for City Council, I think she was playing. I looked

11:54:20 14up and she became Mayor now. How old is she? 30? Not

11:54:25 15even 30 years old. Not bad. Excellent.

11:54:28 16 MS. WRIGHT: Very excellent.

11:54:29 17 COMMITTEE MEMBER WASHINGTON: Thank you.

11:54:29 18 CHAIRPERSON MEDINA: Arthur Roth.

11:54:33 19 MR. ROTH: Mr. Chairman, members of the

11:54:37 20Committee. Good morning, still. My name is Art Roth.

11:54:41 21I'm the President and CEO of Hunter Paine Enterprises.

11:54:44 22 First of all, I'd be happy to answer any

11:54:49 23questions you may have.

11:54:49 24 But just very briefly, about 91 percent of the

11:54:49 25wood pallet market is -- or the pallet market here in the

11:54:53 1United States is wood. That represents a highway of
11:54:58 2timber about 50 feet wide, 994 miles long, would stretch
11:55:05 3all the way from L.A. to Seattle. That's how much wood we
11:55:08 4use from our forests every year to make pallets.
11:55:12 5 Hunter Paine Enterprises has made a new material.
11:55:15 6It is patented. One of three patents has been issued.
11:55:19 7Patent application's been issued. Lexsite is a G4
11:55:22 8product, as Mr. Winters said earlier, in that it's made
11:55:27 9primarily from recycled materials. It saves our virgin
11:55:32 10forests, our old growth forests. It is 100 percent
11:55:36 11recyclable, and it's made in a process which is
11:55:38 12environmentally friendly with no downstream waste product.
11:55:41 13 The pallets you see behind you here, beverage
11:55:42 14pallets and a heavy duty pallet -- the heavy duty pallet
11:55:45 15is capable of on a static load carrying approximately 16
11:55:51 16tons. That is superior to wood.
11:55:53 17 On the impact tests from Virginia Tec, a copy of
11:55:56 18which we have for the Board if you wish, you'll see that a
11:56:00 19pallet made from lexsite will -- a wooden pallet would
11:56:03 20take about 500 kilonewtons to be destroyed in many tests.
11:56:06 21Our pallet made from recycled rubber takes about 5,000
11:56:13 22kilonewtons before it fails.
11:56:13 23 It's an extraordinary product. We're going to be
11:56:15 24setting up our first production plant in the city of
11:56:16 25Pittsburg and looking at the -- any discretionary funds

11:56:20 1the Board may have in excess of the \$250,000 grant
11:56:25 2applications to please look favorably upon our product and
11:56:31 3our company.
11:56:31 4 And we appreciate your time this morning. And
11:56:32 5I'd be happy to answer any questions if the Board has
11:56:35 6them.
11:56:35 7 CHAIRPERSON MEDINA: Board members, any
11:56:37 8questions?
11:56:38 9 MR. ROTH: Mr. Chairman, thank you very much for
11:56:40 10your time.
11:56:40 11 CHAIRPERSON MEDINA: Thank you.
11:56:43 12 George Larson is the next speaker, followed by
11:56:45 13the final speaker.
11:56:50 14 COMMITTEE MEMBER JONES: Larson is out of the
11:56:52 15room. Let's adjourn.
11:56:53 16 (Laughter)
11:56:54 17 CHAIRPERSON MEDINA: And is that -- I can't make
11:56:57 18out the first name. Is that Paula Roosevelt?
11:57:09 19 COMMITTEE MEMBER WASHINGTON: If George comes in,
11:57:10 20he missed his opportunity.
11:57:16 21 (Laughter)
11:57:16 22 CHAIRPERSON MEDINA: George Larson is next.
11:57:18 23 MR. LARSON: George Larson. I believe we're
11:57:25 24talking about the tire program still; correct? I was
11:57:30 25outside.

11:57:31 1 COMMITTEE MEMBER WASHINGTON: You tell us,
11:57:32 2George.
11:57:34 3 MR. LARSON: I was outside on another agenda. On
11:57:36 4behalf of the Lakin Tire, the legal opinion rendered
11:57:41 5resolves the issue, and I have no need to talk.
11:57:41 6 CHAIRPERSON MEDINA: Thank you.
11:57:44 7 COMMITTEE MEMBER WASHINGTON: Good job, legal.
11:57:50 8 CHAIRPERSON MEDINA: Paula Roosevelt, please.
11:57:50 9 MS. ROOSEVELT: I'll keep it brief. Thank you so
11:57:52 10much for allowing me to present. We're on the B list,
11:57:54 11Ceres Unified School District.
11:57:56 12 I'm going to make us sound sad. Our track was
11:58:00 13built in the 1900s and hasn't had any modernization since
11:58:04 141940 when the side rails were put in. It's -- Ceres
11:58:12 15Unified is so excited about this grant. We desperately
11:58:16 16need this. We are going to be supporting two high
11:58:18 17schools. One is being built under a bond. It will also
11:58:22 18support community events. The police department, the
11:58:25 19Mayor, everyone is incredible excited about this. Right
11:58:29 20now it's a gravel track which is very hazardous and not
11:58:34 21usable and out of commission most of the time during the
11:58:37 22track season. So please consider us for reallocation of
11:58:41 23funds. Thank you.
11:58:42 24 CHAIRPERSON MEDINA: Thank you.
11:58:43 25 Board members, any questions or comments? If

11:58:45 1not, this item will go to the Board for full discussion
11:58:51 2and the awarding of the grants.
11:58:53 3 We have a brief report from the Deputy Director,
11:58:55 4and then we're going to move the last three items without
11:58:59 5any lengthy -- or any presentation on those three items.
11:59:04 6So --
11:59:18 7 COMMITTEE MEMBER JONES: Mr. Chair.
11:59:20 8 CHAIRPERSON MEDINA: Board Member Jones.
11:59:22 9 COMMITTEE MEMBER JONES: While Patty Wohl is
11:59:23 10getting set, before Martha -- has she left? Before Martha
11:59:29 11walks out, I -- and I wish I would have done this when
11:59:32 12there were more people in the room. I may not be here for
11:59:35 13the next meeting, and I'm not sure exactly when Martha is
11:59:40 14going to retire but -- or quitting.
11:59:46 15 Don't feel bad. I got fired from one of my last
11:59:49 16jobs. Anyway, you're too young to retire.
11:59:54 17 You need to know that as Chair of this Committee
11:59:56 18for a long time and somebody that's been here for six and
11:59:58 19a half years, you are one of the most valuable assets that
12:00:02 20this agency has ever had. And I appreciate your effort.
12:00:07 21You did tax me in trying to keep you under control
12:00:11 22sometimes, but I'll tell you what, you're somebody that
12:00:14 23walks the walk, literally. You would rather walk or ride
12:00:18 24a bike than take a car and pollute the air. You do live a
12:00:24 25live we all ought to emulate. And I'll miss you. This

12:00:29 1Board will miss you, and the stakeholders in the state of
12:00:33 2California are going to miss you. And I'm sorry to see
12:00:35 3you go. And I wanted to say that in case I couldn't say
12:00:40 4that at the Board meeting.

12:00:42 5 CHAIRPERSON MEDINA: I will be at Board meeting,
12:00:44 6but I want to thank Board Member Jones for bringing that
12:00:48 7up. We have all respected and appreciated your work, and
12:00:51 8I know that at the Board meeting we want to say similar
12:00:56 9good things on your behalf, and I want to thank you for
12:00:59 10helping me through the five-year tire plan. That was
12:01:02 11quite a challenge.

12:01:04 12 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:

12:01:04 13 Thank you both very much.

12:01:10 14 CHAIRPERSON MEDINA: Ms. Wohl.

12:01:12 15 DEPUTY DIRECTOR WOHL: Patty Wohl, Waste
12:01:13 16Prevention and Market Development Division.

12:01:14 17 I'm wondering if in lieu of a report I could do
12:01:17 18Agenda Item 18 which would be very quick and we could put
12:01:20 19that on consent. And then the other two -- Agenda Item 18
12:01:23 20or Committee Item L, and then the other two we could move
12:01:28 21to the full Board.

12:01:30 22 COMMITTEE MEMBER JONES: Mr. Chair.

12:01:30 23 CHAIRPERSON MEDINA: Board Member Jones and then
12:01:32 24Board Member Paparian.

12:01:33 25 COMMITTEE MEMBER JONES: I just have one quick

12:01:35 1question.

12:01:35 2 By that one RMDZ not coming in for certification,

12:01:41 3does that give you one extra one that you can do somewhere

12:01:44 4in the state? Because we're limited by number; correct?

12:01:47 5 DEPUTY DIRECTOR WOHL: Right. At this point

12:01:48 6we're set at 40. We now have 39.

12:01:52 7 COMMITTEE MEMBER JONES: By law we can only have

12:01:54 840. So there is the availability; correct?

12:01:54 9 DEPUTY DIRECTOR WOHL: Correct.

12:01:56 10 COMMITTEE MEMBER JONES: Board policy. Okay.

12:01:58 11All right.

12:02:01 12 DEPUTY DIRECTOR WOHL: So --

12:02:02 13 CHAIRPERSON MEDINA: Board Member Paparian.

12:02:03 14 COMMITTEE MEMBER PAPARIAN: Mr. Chairman,

12:02:05 15excellent presentation. I'm ready to move Item 18 which

12:02:07 16is Resolution 2003-294 related to the south San Joaquin

12:02:14 17recycling marketing development zone.

12:02:15 18 COMMITTEE MEMBER JONES: I'd second.

12:02:15 19 CHAIRPERSON MEDINA: Resolution 2003-294 has been

12:02:19 20moved by Board Member Paparian, seconded by Board Member

12:02:22 21Jones. Substitute the previous roll call.

12:02:26 22 COMMITTEE MEMBER JONES: Mr. Chair.

12:02:27 23 CHAIRPERSON MEDINA: Board Member Jones.

12:02:29 24 COMMITTEE MEMBER JONES: My first vote at this

12:02:30 25Board was on the recycled rate of the RPPC. Everybody

12:02:33 1wanted to know. It went five months in a row without it
12:02:36 2being resolved. I was here. They wanted to know where I
12:02:38 3was going to cast my vote. I voted to actually adopt it
12:02:41 4and then move on and try to get plastic recycled. I'm
12:02:44 5glad to see the rate's at 29.1 percent on Agenda Item 19.
12:02:48 6 I'd like to move adoption of Resolution 2003-297,
12:02:51 7consideration of a rigid plastic packaging container and
12:02:58 8poly and PET recycling rates to be used for compliance
12:02:59 9year 2003.
12:03:01 10 CHAIRPERSON MEDINA: Is there a second?
12:03:05 11 COMMITTEE MEMBER WASHINGTON: Second.
12:03:07 12 CHAIRPERSON MEDINA: Resolution 2003-297 has
12:03:07 13been moved by Board Member Washington, seconded -- has
12:03:12 14been moved by Board Member Jones, seconded by Board Member
12:03:14 15Washington.
12:03:15 16 COMMITTEE MEMBER WASHINGTON: They say he and I
12:03:16 17look alike.
12:03:19 18 (Laughter)
12:03:20 19 COMMITTEE MEMBER JONES: I'm just using weight to
12:03:22 20emulate.
12:03:24 21 CHAIRPERSON MEDINA: Substitute the previous roll
12:03:25 22call.
12:03:28 23 COMMITTEE MEMBER JONES: On consent.
12:03:29 24 CHAIRPERSON MEDINA: That will go on the consent.
12:03:31 25 Does that take care of all the items?

12:03:34 1 DEPUTY DIRECTOR WOHL: Right.

12:03:36 2 COMMITTEE MEMBER JONES: On the loan.

12:03:38 3 DEPUTY DIRECTOR WOHL: We prefer to hold that

12:03:40 4over to the full Board.

12:03:41 5 CHAIRPERSON MEDINA: We do have a speaker,

12:03:42 6Mr. Henry Dwyer. He's available if there are any

12:03:47 7questions from the Board members.

12:03:49 8 Board members, any questions?

12:03:51 9 COMMITTEE MEMBER JONES: Board Member Jones.

12:03:54 10 DEPUTY DIRECTOR WOHL: I think he'll defer to

12:03:55 11speak at the full Board.

12:03:56 12 COMMITTEE MEMBER JONES: Are we -- we were ready

12:03:59 13to act on this thing today? Are we still ready to act on

12:04:02 14this thing?

12:04:03 15 CHAIRPERSON MEDINA: Which item are you

12:04:03 16referencing?

12:04:05 17 COMMITTEE MEMBER JONES: 17, the loan. I have no

12:04:06 18problem with moving it over. But if there's issues, I

12:04:09 19hope they get resolved.

12:04:10 20 DEPUTY DIRECTOR WOHL: That's what we're hoping

12:04:12 21too. We're going to work through them and have them

12:04:14 22resolved by the full Board.

12:04:20 23 COMMITTEE MEMBER JONES: Okay. I just don't

12:04:21 24know -- I mean, we had an item in front of us I thought

12:04:24 25was ready to be voted on. I always get nervous when I see

12:04:29 1things start to unravel. And I'm hoping that there aren't
12:04:36 2issues that we need to talk about.

12:04:40 3 CHAIRPERSON MEDINA: Would those issues be such
12:04:42 4when this comes up this is fiscal consent? This will come
12:04:45 5up before the full Board for approval. Is there anything
12:04:48 6that couldn't be resolved at that time with that
12:04:53 7discussion?

12:04:55 8 DEPUTY DIRECTOR WOHL: I'd be happy to take it
12:04:57 9up. We have some legal issues that the Legal Office would
12:05:01 10have to respond to. There's some still some clarity that
12:05:07 11we're looking for from the Air District on the permitting
12:05:10 12process for this application. So --

12:05:14 13 COMMITTEE MEMBER JONES: Clarify from the Air
12:05:16 14District for a permit? Has the permit been granted? So
12:05:22 15is it they didn't type it right or what? I'm not sure --

12:05:25 16 CHIEF COUNSEL TOBIAS: The project uses a CEQA
12:05:28 17exemption that is in the CEQA guidelines for cogent
12:05:32 18projects. It has very specific reasons or factors that
12:05:38 19you have to consider in order to be able to use the CEQA
12:05:42 20exemption. So that's what we're talking to the District
12:05:45 21about right now is whether that project in terms of air
12:05:47 22quality permit meets the exemption.

12:05:52 23 COMMITTEE MEMBER JONES: Okay. I just have one
12:05:53 24other question, Mr. Chair.

12:05:56 25 CHAIRPERSON MEDINA: Board Member Jones.

12:05:57 1 COMMITTEE MEMBER JONES: We're talking about a
12:05:59 2loan to a permitting facility. We're not talking about
12:06:02 3permitting a facility; correct?
12:06:04 4 CHIEF COUNSEL TOBIAS: That's correct.
12:06:07 5 COMMITTEE MEMBER JONES: And we're going to deal
12:06:09 6with a CEQA issue from an Air District because that could
12:06:13 7impact our loan how?
12:06:16 8 CHIEF COUNSEL TOBIAS: The decision to make a
12:06:19 9loan is a discretionary decision. A discretionary
12:06:22 10triggers CEQA and the consideration of how you comply with
12:06:27 11CEQA. This particular project has used an exemption that
12:06:32 12is very rarely used. And so we're checking to make sure
12:06:35 13that the exemption works in this situation before it comes
12:06:39 14to the Board.
12:06:43 15 CHAIRPERSON MEDINA: Because there are issues in
12:06:44 16regard to this item, we might as well just move without
12:06:49 17making a recommendation on it -- move to the full Board.
12:06:51 18 And before I adjourn, there is a new Committee
12:06:55 19structure that has been put in place. And so I know that
12:07:00 20there have been some changes in Committees. And one of
12:07:04 21the Committee members that has served very faithfully, has
12:07:08 22been a great assistance, and have really appreciated his
12:07:14 23remarks and his contribution on this Committee, that's
12:07:17 24Board Member Washington.
12:07:19 25 Board Member Washington, I really appreciate

12:07:21 1having you on this Committee, everything that you have
12:07:25 2contributed. And I speak on behalf all the members of
12:07:28 3this Committee. So again, thank you for your
12:07:31 4participation.

12:07:36 5 And if there's no other matters to take up, we
12:07:40 6will adjourn at this time. Thanks.

09:43:01 7 (Thereupon the California Integrated Waste
09:43:01 8 Management Board, Special Waste and Market
09:43:02 9 Development Committee adjourned at 12:07 p.m.)

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12:07:44 1 CERTIFICATE OF REPORTER

12:07:44 2 I, TIFFANY C. KRAFT, a Certified Shorthand

12:07:44 3Reporter of the State of California, and Registered

12:07:44 4Professional Reporter, do hereby certify:

12:07:44 5 That I am a disinterested person herein; that the

12:07:44 6foregoing hearing was reported in shorthand by me,

12:07:44 7Tiffany C. Kraft, a Certified Shorthand Reporter of the

12:07:44 8State of California, and thereafter transcribed into

12:07:44 9typewriting.

12:07:44 10 I further certify that I am not of counsel or

12:07:44 11attorney for any of the parties to said hearing nor in any

12:07:44 12way interested in the outcome of said hearing.

12:07:44 13 IN WITNESS WHEREOF, I have hereunto set my hand

12:07:44 14this 19th day of May, 2003.

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12:07:44 23 TIFFANY C. KRAFT, CSR, RPR

12:07:44 24 Certified Shorthand Reporter

12:07:44 25 License No. 12277